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Consular Letters

Havana

October 1, 1896

December 31, 1896

Confl.

Habana,
Oct. 1, 1896.

INDEX BUREAU
REC'D.
OCT 2 1896
DEP'T. OF STATE

FORM No. 3.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

ALL CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

Sept 29 is Counted

OCT 1 1 2

RECEIVED

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FIVE ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:

All Offices (21,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN:

LONDON:
No. 21 Royal Exchange, E. C.
No. 109 Fenchurch Street, E. C.

LIVERPOOL: No. 8 Rumford Street.
GLASGOW: No. 29 Gordon St. and No. 4 Waterloo St.
BRISTOL: Backhall Chambers.

NUMBER	SENT BY	RECD BY	No. OF WORDS.	FROM
Ny 14	N.B.	9	31	Havana (Sept 29

RECEIVED at Washington October 1896

12302

Assistant Secretary of State.
Washington D C

Esteban Venero american Citizen arrested Los Palos about eight days ago by Military authorities Charges not known Have inquires Captain General

Lee

ASSISTANT SECRETARY
OCT 7 1896
DEPARTMENT OF STATE

No. 155

U.S.CONSULATE GENERAL.

HABANA, October 1st, 1896.

-----o-----

Mr.LEE

to the

Department of State.

-----o-----

Transmitting extracts from "Law of Criminal Procedure."

-----o-----

one enclosure.

-----o-----

No. 155.

U.S.CONSULATE GENERAL.

HABANA, October 1st,1896.

Hon:-William W.Rockhill,

Assistant Secretary of State.

Washington . D.C.

Sir:-

In connection with my letter of the 30th ultimo, I send herein extracts from the "Law of Criminal Procedure", ruling in Cuba and Porto Rico.

Very respectfully,

Your obedient servant,

Fitzhugh Lee

Consul General.

One enclosure:

Extracts from "Law of Criminal Procedure".

Enclosure No.1.

With Despatch No. 1 5 5

H A B A N A , October 1st,1896.

Extracts from LAW of CRIMINAL PROCEDURE,
ruling in Cuba and Porto Rico.

-----o-----

Art:386. In case of the arrest of a person accused his first statement shall be taken within 24 hours.

Art: 489. (Same as article 4 of the Spanish Constitution.) No Spaniard or foreigner shall be arrested,except in such cases,and in such manner as prescribed by laws.

Art:496. The part,authority or judicial police agent who may arrest any person by virtue of what is ordered in the preceding articles,shall release him or deliver him to the judge nearest the place where the arrest was made,within 24 hours following.

Art:497. In case the judge or court to whom the delivery is made should be the one cognizant of the case,x x x the arrest shall be made a commitment,or be set aside within 72 hours. x x x

Art: 499. If the party arrested should have been arrested because comprised in Nos.1 and 2 of Art:490,(attempt, and infraganti,)and No.4 of Art: 492,(or suspicion) the judge of Instruction to whom he may be delivered,shall institute the preliminary proceedings and commit the person held,or order his release,as it may result,within the period set down in Art: 497. x x

Art: 501 says in effect,that in either case,the accused shall be notified.

Art: 506. The incommunication of those arrested or committed shall last only the time absolutely necessary to examine into the facts stated in the inquiry relative to the crime which gave rise to the process,without its lasting,as

a general rule,more than 5 days.

Art:507 states that if the examination has to be made outside of the territory of the Isalnd or at some distance, the incommunicatien may last the time prudentially requisite to avoid collusion.

Art: 508. states that the Judge or Court can order the accused to be again put incomunicado ,if the case warrants it, but this second communication shall not last more than 3 days.

Art: he shall be permitted books and papers,if ther be no objection.

Art:510 also writing materials ,urder certain conditions.

Art: 511. but shall not send or receive any letter or paper.

Art: 520. The arrest as well as provisional imprisonment, shall be made in the manner and form least prejudicial to the person and reputation of the accused.

Art: 522. Every person arrested or imprisoned,may obtain at his own expense,the comforts or occupations compatible with the object of his arrest and the regimen of the prison,provided it does not prejudice his safety,or the reserve due to the summing up (sumario) of the proceedings

Art: 545. No one shall enter into the dwelling of a Spaniard or a fpreigner residing in Spain, without his consent, unless in the cases and in the manner expressly provided by law.

Art: 550. states that the Judge may order entry and search of any place used as a dwelling by a Spaniard or foreigner but always with the previous consent of the party concerned,or in want thereof by virtue of a warrant to be immediately notified to the party,or at the latest, within 24 hours after it shall have been issued.

Art: 561. Niether the Judge board and search a foreign merchant vessel,without the authorization of the master,

or if this is refused, that of the Consul of the nation to which the vessel belongs.

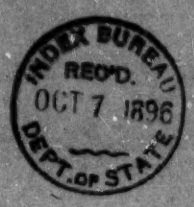
Art: 567. regards entry of the rooms, etc, of foreign consuls.

Art: 569. respecting the manner of search, which shall be in the p resence of the party interested, or whomsoever may represent him, or in presence of his family, or of two witnesses.

-----o-----

No.1 5 6.

U.S.CONSULATE GENERAL.



H A B A N A , October 1st,1896.

-----o-----

Mr.LEE

to the

Department of State.

-----o-----

Receipt of Instructions,78 to 97.

-----o-----

No. 156.

U.S.CONSULATE GENERAL.

H A B A N A , October 1st,1896.

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

I have the honor to acknowledge the receipt of the Department's instructions from No.78,September 8th, to No.97 ,September 18th, both inclusive.

Very respectfully,

Your obedient servant,

Consul General.

Copy.

Cons. Rpt.
File

ASSISTANT SECRETARY
OCT 7 1896
DEPARTMENT OF STATE

No. 157.

INDEX BUREAU
REC'D.
OCT 7 1896
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U.S.CONSULATE GENERAL.

HABANA, October 1st,1896.

---o---

Mr.LEE

to the

Department of State.

---o---

Confirming telegram respecting arrest of Esteban Venero, ar American Citizen.

---o---

No.1 5 7.

U.S.CONSULATE GENERAL.

H A B A N A , October 1st,1896.

Hon: William W.Rockhill.

Assistant Secretary of State.

Washington, D. C.

Sir:

I have the honor to advise my telegram of the 29th ult:-

"Assistant Secretary of State. Washington. D.C.
"Esteban Venero,American citizen arrested Los Palos about
"eight days ago by military authorities.charges not known.
"have inquired Captain General. (signed) LEE.

which I now confirm.

In reply to my inquiry I am informed by the Governor Gen'l that he knows nothing respecting the arrest("detencion") of Mr.VENERO,but that he will ask for information from the office of the Captaincy General,and advise me regarding the matter.

Very respectfully,

Your obedient servant.

Consul General.

ASSISTANT SECRETARY
OCT 7 1896
DEPARTMENT OF STATE

No.158 .

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REC'D.
OCT 7 1896
DEPT. OF STATE

U.S.Consulate General.

Habana, October 1st, 1896.

---o---

Mr.LEE

to the

Department of State.

---o---

Cases of the American citizens RAMON RODRIGUEZ POSADA and JOSE CURBINO.

---o---

No.158.

Consulate General of the United States,

Habana, October 1st.1896.

Honorable William W.Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

Referring to my despatch No.145, of the 23rd.instant, in which I reported the arrest of Ramon Rodriguez Posada, a naturalized American citizen, I have to inform the Department that this office received a letter from him several days ago dated in the City Prison.

I sent to enquire into his case and learned that he was still detained by order of the Governor at Matanzas. This letter I referred to the U.S.Vice Consul at Matanzas for an investigation, and Mr.Broch reports; that Mr. Rodriguez on being released after returning from the Insurgent camp was ordered to reside in Cardenas, subject to surveillance of the local authorities, which he failed to do, besides he made several trips to Habana without duly reporting to the authorities as required. He has been detained at Habana in order to send him to Cardenas by the first opportunity, with the view of releasing him there.

Mr.José Curbino,the other citizen reported in my telegram of the 21st.ultimo,arrested upon his surrender at Rincon,came to this office two days ago,and obtained a certificate of his inscription,it being his intention to return to Santiago de las Vegas and resume his residence there.

I am,Sir,

Your obedient servant,

Consul General.

159

No.159.

Typewriter to Guayaquil
Oct 10
W. S. & B. circ
Cons. Agt informed

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U.S.Consulate General.

Habana, Oct.1st, 1896.

Mr.LEE

to the

Department of State.

Receipt of a type-writing machine.

Telegram from Guayaquil
Oct 8
Cons

No.159. U.S.Consulate General.

Habana, Oct.1st, 1896.

Hon.William W.Rockhill,

Assistant Secretary of State,

Washington, D.C.

Sir:

With reference to Instruction No.80 of Sept.9th, I have to inform the Department of the receipt from Messrs. Wyckoff, Seaman and Benedict of one type-writing machine.

They advise that they hold the other machine they are to furnish in exchange subject to the order of the Department, and presume that when they receive the instructions it will be for shipment to Cuba. That the price quoted was a special one to this office, and they could not ship a machine to any part of the United States at that price.

I am, Sir, your obt. servant,

Fitzhugh Lee

Consul General.

COPIED FOR CONGRESS.

ASSISTANT SECRETARY
OCT 6 1896
DEPARTMENT OF STATE.

No.160.

Consulate General of the United States,

Habana, October 3.1896.

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OCT 6 1896
DEPT. OF STATE

---------O---------

Mr. LEE

Rec'd Oct. 8.

to the

Department of State.

---------O---------

Case of Charles Govin.

---------O---------

Acknowledging receipt of Instruction 103 of September 25th..

Does not think it wise to press matters just at present.

One enclosure.

---------O---------

Com. Board

Ask approval and instruct him to ask the Cap. Gen. for the information he suggests.

VMR

No.160.

Consulate General of the United States,

Habana,October3.1896.

Honorable W.W.Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

Referring to your instruction No.103 of September 25th.,I write to say that I notice that I am directed to lay before the Governor General the testimony that I have in the matter of Charles Govin's death.

I think the objection to complying to such instructions would be that I would be obliged to give the name of the person who gave to me the facts transmitted to the Captain General.

This would involve giving the name of Fernandez,now a prisoner in "La Cabaña". He was taken prisoner with Govin etc.,as previously reported. As Fernandez' case has not yet been considered,you can readily perceive that his case might be prejudiced if his name were known.

I am of the opinion,therefore,that at present his name should be withheld. I have implicit confidence in his statement now that it has been corroborated by the

captured letter of Dr.Lamar,and about which I wrote you my despatch No.130 of September 16th.

I have no confidence in other statements that have been made about this case.

Captain General Weyler in a communication to Governor General Weyler dated 15th.September,which was sent to the Department with my despatch No.138 of the 18th.September, it will be observed,transmits a report from the General in command of the 3rd.brigade of the second division of the third corps of the Spanish Army in this Island purporting to give an account of the death of Charles Govin,claiming that he had been made prisoner after having been seriously wounded and died of his wounds on the day following the fight.

This is a response to a second communication of mine to the Governor and Captain General requesting that Charles Govin be produced if alive or if dead that the details of his death be given.

In the answer referred to in my despatch No.138 it will be noticed that the report of the General of the third brigade gives the place and date of the engagement,and that he died the next day at the place where this subordinate General's report to the Captain General was written,all of

which I think answers the question in your No.103,in which you direct me to ascertain "if he,Govin,was wounded,how and "where,and if he died of his wounds,when,where and in what "manner".

I see nothing else that I can do here at present except to demand of the Governor and Captain General the name of the subordinate General who made the report I have referred to and the name of the place where he wrote it,both of which have been given.

I am,Sir,

Your obedient servant,

Fitzhugh Lee

Consul General.

Enclosure:-

Mr.Lee to General Weyler.

Enclosure No.1.

With Despatch No.160.

HABANA, October 3.1896.

Copy translation.

Consulate General of the United States,

Habana, October 2.1896.

To His Excellency,

The Governor Captain General of the Island of Cuba,

etc. etc. etc.

Excellency:-

I duly received your communication of the 18th.of September transmitting the report of the Chief of the brigade, 2d.division, 3d.Corps of your Army, and I am now directed to say to you that in view of the facts in my Government's possession tending to show the ~~murder~~ Killing of Govin after he was taken prisoner, it does not consider the report of your subordinate a satisfactory account of his death. I will have also to request the name of the officer making the report in question as well as the name of the place at which it was written. This last seeming to be important because in the said report the commander of the brigade states that Govin died in consequence of his wounds on the following day after being taken to this place, but nowhere is the name of said place stated.

I take this opportunity etc. etc.

etc. etc. etc.

(Signed) Fitzhugh Lee.

Consul General.

ack. Oct. 15 file

CONSULATE GENERAL of the UNITED STATES.

HABANA, October 3rd, 1896.

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3 1896

Mr. LEE

to the

Department of State.

Report on the Clerks employed in the consulate general.

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2 enclosures.

Consulate General of the United States,

Habana, October 3.1896.

3/1896

Honorable W.W.Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honor to acknowledge the receipt of State Circular dated September 18th., relative to Clerk Hire Allowance.

The Department's notification, dated 21st. May, was received here previous to my arrival, which will account for the oversight and delay in forwarding the required report.

The allowance of $2000.00 to this office is now paid to the following named clerks, who have been continued in their positions.

Mr. Adolfo Sanchez Dolz, 77 years of age, a citizen of the United States, connected with this office since November 8th. 1888. Appointed Deputy Consul General March 12th. 1891, and re-appointed by me June 24th. 1896.----------$1200.00

Mr. Henry Drain, 32 years, a citizen of the United States, entered this office as clerk February 7th. 1896--------$ 800.00

I enclose as instructed by said circular, letters written by each of the persons.

I am, Sir,

Your obedient servant,

Fitzhugh Lee

Consul General.

2 Enclosures
1. Mr/Sanchez Dolz to Consul General Lee.
2. Mr. Drain to do do.

Consulate General of the United States.

Habana, October 3, 1896

Fitzhugh Lee, Esq.,
U. S. Consul General,
Habana.

Sir:-

In accordance with the instruction of Department circular dated September 18, 1896, I beg to inform you that I have been connected with this Consulate General as clerk since November 8, 1888; that I was appointed Deputy Consul General March 12, 1891, by your predecessor, Mr. Ramon O. Williams and continued in that office, by yourself, under date of June 24, 1896. I am 47 years of age, a native of Puerto Principe, and a citizen of the United States and conversant with the English, Spanish and French languages.

I am, Sir,

Over

Very respectfully
Your obedient servant,
J. L. Ross
Deputy Consul General

Consulate General of the United States.

Habana, Oct 3rd 1896

Fitzhugh Lee Esq.
U. S. Consul General,
Habana.

Sir:

In accordance with the instructions of Department circular of September 18th 1896, I beg to inform you that on the 7th of February 1896 I was appointed a clerk in this office by ex Consul General Williams; that my age is 22 years, that I am a native of this city, an american citizen and speak besides my own language that of Spain.

Very respectfully

Henry Baire,

Conf.

No.161.

ASSISTANT SECRETARY
OCT 6 1896
DEPARTMENT OF STATE.

U.S.Consulate General,

Habana, October 3.1896.

Ack October 6

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RECD.
OCT 6 1896
DEPT. OF STATE.

------ ---O---------

Mr.LEE

to the

Department of State.

----------O---------

Departure of U.S.Commercial Agent at Gibara for the United States, and tempory absence of the Nuevitas Vice Commercial Agent.

----------O---------

Enc Rec'd
Ack Oct 6
WR

No.161.

Consulate General of the United States,

Habana, October 3.1896.

Honorable W.W.Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honor to inform the Department, that I am am advised by Mr.Joaquin Sanchez Adan, U.S.Commercial Agent at Nuevitas, that Mr.José H.Beola, U.S.Consular Agent at Gibara, on account of urgent business, sailed for the United States on the 12th.instant, leaving his office incharge of Mr.Diego V.Quintero, who has taken charge on previous similar occasions.

At the same time on account of impaired health, Mr.Sanchez has been compelled to come to Habana for medical advice and rest, and appointed his son Joaquin Sanchez Miranda, who is of age and capable, to look after his office.

As very little business of a consular nature is done at these places at this season of the year, and satisfied that U.S.interests will not suffer during this temporary arrangement, Ihave approved same.

I am, Sir,

Your obedient Servant,

Fitzhugh Lee

Consul General.

COPIED FOR CONGRESS.

File

ASSISTANT SECRETARY
OCT 10 1896
DEPARTMENT OF STATE.

No.162 .

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REC'D.
OCT 10 1896
DEPARTMENT OF STATE.

U.S.CONSULATE GENERAL.

HABANA, October 6th, 1896.

Mr. Ives

to the

Department of State.

Case of CHARLES GOVIN.

No.162.

UNITED STATES CONSULATE GENERAL.

HABANA, October 6th, 1896.

Honorable William W.Rockhill,

Assistant Secretary of State,

Washington, D .C.

Sir:

Referring to your instruction number 103 of the 25th September, relative to the case of Charles Govin, the American supposed to have been killed after he was taken prisoner, and my reply expressed in despatch number 103 of the 3rd instant, I now desire to add some additional testimony, to be considered and filed away in the case, given to me by George Bronson Rea.

My informant (has been within the insurgent lines for many months as correspondent of the "New York Herald" and) is more or less familiar with the campaign, first in the province of Pinar del Rio and afterwards in those of Habana and Matanzas.

Mr.Rea states that the body of Charles Govin was buried in the estate of "Pedroso", near Correderos, which I think is between Jaruco and the coast, - at the foot of a small hill near a cane field, by Valencia some three days after the fight. Valencia, it will be remembered, was the officer commanding the insurgents during the excharge of shots, as General Weyler calls it, between Valencia and the Spanish General Ochoa on the 9th of July in the Havana province.

Mr.Rea further states that a body of insurgents was sent out about three days afterwards to find, if possible, some of their number who had become scattered in the combat and while en route Dr.Armando Guerrero, the surgeon of the Jaruco rebel regiment, came acrogs the body of Charles Govin badly mutilated and cut over the head and neck with machetes, partially covered with palm tree leaves and cane tops.

As stated in my despatch No.160,of the 3rd instant, I have requested Governor General and Captain General WEYLER to give the name of the officer who reported officially to him that GOVIN had been wounded and taken prisoner and had died from these wounds the next day at the place from which the officer was making said official report ; that officer having stated that GOVIN had died at the place from which he was then writing,but the name of the place as well as the name of the officer making the report was not given.

The witnesses in this case seem,therefore,to be the prisoner Manuel Fernandez Chaquielo,now confined in the "Cabaña" fortress ; Dr.Jorge Vega Lamar,who afterwards wrote a letter to his wife, which was captured and published in "El Imparcial" of Madrid; Valencia,who commanded the insurgents; Dr.Armando Guerra, and perhaps others.

You will realize,however,the insurmountable difficulties which exist at the present time to prevent securing their testimony.

I am, Sir, very respectfully,

Your obedient servant,

Fitzhugh Lee

Consul General.

ASSISTANT SECRETARY
OCT 19 1896
DEPARTMENT OF STATE

Encl.

Acknd. Oct-21/96

N O. 1 6 3.

U.S.CONSULATE GENERA.

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REC'D.
OCT 15 1896
DEPT. OF STATE

H A B A N A , October,7th,1896.

---------o---------

Mr. LEE

to the

Department of State.

---------o---------

Case of SAMUEL T.TOLON.

Reply of General WEYLER respecting the intervention of the Consul General in this case, and communication of Consul General LEE to General WEYLER.

---------o---------

2 enclosures.

---------o---------

Mr Ayer:

I think Lee's answer to Wexler is sufficient. This may be filed. If any, when any demand is made

Oct 19

Cons. Bur. instr. accordingly Oct 19.

It requires only acknowledgment, by subject, saying that as he has been advised in the Dept's instr No — of [illegible] the diplomatic discussion of the incident has been carried to finish. "Gen Wexler does not appear to question your efforts for Mr. Polon's release, and his letter may be taken as an expression of his incompetency to deal with the secondary aspects of the case as a diplomatic issue."

ACG

No.163.

Consulate General of the United States,

Habana, October 7.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

With further reference to the case of Mr.Samuel T.Tolon, I have received from the Governor and Captain General an answer to my official communications of the 24th.and 26th. ultimo,of which copy-translations were transmitted to the Department in my Despatch No.149.

His Excellency rejects from the start the theory that the state of war does not suspend the operation of the laws in so far as they apply to Americans.

He continues,by saying that according to sound principals of international law,diplomatic relations must be the most efficacious means of settling all differences arising from interpretation of laws and treaties,and Consuls are prohibited from establishing any such kind of principles.

He also cannot conceal his surprise at the terms of the cablegram,which I stated had been sent me by my Government, but as the Delegate of the Spanish Minister of State,he restricts himself solely to give account of said telegram to the Ministry,which in its intercourse with the Department of State,is called upon to find a definite solution to this question.

That while maintaining that my statement has no standing,he will only observe that he cannot discuss such matters which belong to the exclusive competency of the diplomatic officers of both nations,and further,he sets forth the particular functions of a Consular officer. He assumes that I understand the limits of my own representation when I asked simply for Tolon's release,and also transmitted him a copy of the telegram referred to,without entering

into

into the region of political international relations between the two nations; and states that he believes he has fulfilled his duty, by giving account of the affair to his Government, for inasmuch as Consuls, as the protectors of commercial interests are called upon to watch over the individual interests of their merchant citizens, for this purpose they may address the local authorities; and he closes with the following underscored paragraph:-

> "But in whatever concerns the general execution
> "of treaties Consuls should address themselves
> "to the Legation or to the Government of their
> "own country, which are the only competent au-
> "thorities in all relative to the political inter-
> "national relations between the two States."

I have answered the Governor General to the effect that while in the future as in the past, I should confine myself as far as possible to the ordinary functions of my office, I should not hesitate, when necessary, to avail myself of all rights guaranteed to the German Consul under the treaty of 1870, as well as to the United States by Art. 19 of the treaty of 1795, and take a position which has already been sustained by my Government in the Secretary of State's letter to Mr. Dupuy de Lome, the Spanish Minister at Washington, dated September 26. 1895, in his communication to the American Minister at Madrid of same date, as well as to Mr. Dupuy de Lome of October 11. 1895, pages 1209 to and including page 1214. Foreign Relations of the United States, 1895, Part 2nd, and that the ground taken has been assented to by Spain, as shown in a telegram dated Madrid, October 21. 1895, from American Minister Taylor, in which he informs Mr. Olney, the Secretary of State of the United States, that the Spanish Minister of Foreign Affairs had said that:-

> "he was disposed to grant at once to Consuls of
> "the United States in Cuba all rights guaran-
> "teed to German Consul under the treaty of 1870".

I have the honor to be,

Your obedient servant,

Fitzhugh Lee

Consul General.

Enclosures:

Governor and Captain General Weyler to Mr.Lee,Oct.5.1896

Mr.Lee to Governor and Captain General Weyler,Oct.7.1896

Enclosure No.1.

With Despatch No. 163.

HABANA, October 7th, 1896.

Translation.

GENERAL GOVERNMENT of the Island of CUBA.

To the Consul General of the United States

at HABANA,

Sir:

I have duly received your official communications, dated 24th and 26th ultimo, relative to the arrest, ("detencion)" of the American citizen Mr. SAMUEL T. TOLON, whose release you requested and I granted on the 25th ultimo, and whereas, especially in the second of said communications, the theory is maintained as one precluding discussion, that the state of war does not suspend the operation of the laws in so far as they concern Americans, I have believed that from the outset, I must reject this assertion.

Apart from the fact that on sound principles of international law, diplomatic relations must be the most efficacious means of settling the differences that may arise by reason of the interpretation of Laws and Treaties, it is clear that such relations always give occasion for discussion, even of such as appear irrefutable, that the special character of Consuls, according to the opinion of writers in this branch of Law, sanctioned by universal practice, prohibits them from establishing that kind of principles.

I cannot conceal my surprise upon learning the terms of the cablegram which you inform me in the communication referred to, that you had received from your Government, but in my character of delegate of the Minister of State in this Island, according to Royal Decree of June 9th, 1878, I must limit myself

by reporting the incident to H.M's Government, inasmuch as Consuls, as the protectors of commercial interests ar2.
solely to report it in the form it has been transmitted to me, to that Ministry, which in its intercourse with that of Foreign Relations of your nation, is the one called upon to definitely settle this question.

Therefore, returning to your statement, I must hold that it has no standing and without now stopping to refute it, I must observe that it is not compatible for me to accept this order of ideas, taking into account that such are of the exclusive competency of the diplomatic representatives of both friendly nations, for as you are well aware, what properly affects the exterior relations of States is within the attributions of the Ministers of Foreign Relations as heads of the diplomatic personnel of their respective countries or of their representatives, who may be Ambassadors, ordinary or extraordinary, Ministers Plenipotentiaries, Ministers Resident, or Charge d'Affaires.

The mission of Consuls, I understand to be other, they do not possess the real character of Representatives of the State that appoints them, although they may be called upon to protect the private interests of the citizens of the country which appoints them, and to exercise towards them, within the limits set down by law, as by treaty, certain functions of administrative and also of voluntary and litigious jurisdictional character.

In the present case you, well aware of the real character with which you are invested, have asked for an order of release for Mr. TOLON, assuming his representation, and in the exercise of that contentious jurisdiction, but cannot reach, without overstepping the limits of your powers, to penetrate into that which already forms part of the international political relations between both nations. You must thus assuredly have comprehended the matter when you limit yourself to transmit me the cablegram of your Government; and in conformity with this doctrine, I for my part, fulfill my duty

by reporting the incident to H.M's Government, inasmuch as Consuls, as the protectors of commercial interests are called upon to watch over the individual interests of their national merchants, and may also address themselves for this purpose to the local authorities; but in whatever concerns the general execution of treaties, they should address the Legation of the Government of their country, the only competent authorities in all relating to the international political relations between the two nations.

God guard you many years.

HABANA, October 5th, 1896.

(Signed) VALERIANO WEYLER.

Enclosure No.2.
With Despatch No 1 6 3 .
H A B A N A , October 7th,1786.

Copy-translation.

U.S.CONSULATE GENERAL.

HABANA, October 7th,1896.

To His Excellency the Governor Captain General of the Island of Cuba, etc, etc,

Excellency :-

I have the honor to acknowledge receipt of Y.E's communication of the 5th instant.

The position assumed therein as to the mission of consuls was taken in September,1895,in a communication addressed to my predecessor by General MARTINEZ CAMPOS, then Governor General and Captain General of this Island.

The matter was duly referred by the U.S.Government to the Spanish authorities at Madrid,commencing with the correspondence between the Secretary of State,Mr.OLNEY, and Señor DUPUY de LOME,then as now,Spanish Minister at Washington,and finally disposed of by the Spanish Minister of Foreign Affairs at Madrid granting,as shown by telegram of the American Minister at Madrid to the U.S.SEcretary of State at Washington,of October 21st,1895, to consuls of the United States in Cuba all rights guaranteed to the Germar consuls under Art: 9 of the treaty of 1870,between Spain and Germany,which reads as follows:

"Consuls general,consuls and vice-consuls or consular "agents may address the authorities of their district, "in reclamation of any infraction of the treaties or "conventions existing between the two countries,and "against any other abuse of which their fellow citizens "may complain. Should their claims not be attended to "by the authorities of the district,or should the de-

"cisions given by these not appear satisfactory to "them ,they may apply,in the last of any diplomatic "agent of their country,to the Government of the State "in which they may reside."

The article quoted includes American consuls as well, because Art.19 of the Treaty of 1795 between the United States and Spain, says:

> " Consuls shall be reciprocally established with the "privileges and powers which those of the most favored "nations enjoy, in the ports where their consuls reside, "or are permitted to be."

While I shall confine myself in the future, as in the past, to the proper and legitimate functions of a Consul general of the United States, I will insist, however, when necessary, upon all powers and privileges conceded by Spain in the treaties with Germany, the United States, and in accordance with the decisions already rendered by the Minister of Foreign Affairs at Madrid.

I am, Excellency, etc,

(Signed) FITZHUGH LEE.

CRANE'S
1894
ALL LINEN
CRANE'S

Copy.

164

ASSISTANT SECRETARY
OCT 19 1896
DEPARTMENT OF STATE

Ans. Oct 20/96

No. 164.

U.S.CONSULATE GENERAL.

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HABANA, October 7th, 1896.

---o---

Mr. LEE

to the

Department of State.

---o---

Case of JULIO SANGUILY.

Transmitting copy of a communication addressed to the Governor General regarding certain privileges and comforts asked for him, and the answer refusing them.

---o---

2 enclosures.

---o---

Mr Whitehouse.

Should we have called
to Medwood on the subject.
If we have no advice
you & Lee, also Grogg
if any has been received

WP

No.164. UNITED STATES CONSULATE GENERAL.

HABANA, October 7th, 1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

Sir:

As inquiries may be made at the Department by friends of Mr. Julio Sanguily as to the present status of his case, in view of the recently reported favorable decision in the appeal (casacion) of his case, carried to Madrid, I have the honor to transmit herewith, for the information of the Department, copy of a letter written by me to the Governor and Captain General, asking that certain comforts and privileges be accorded him during his continued confinement; and a copy of His Excellency's reply refusing to make Sanguily any further concessions. 1/ 2/

The Governor and Captain fails to note the point I attemted to make respecting certain privileges to be granted this prisoner, which I asked in consequence of his many old wounds, some of them active to-day, and his impaired health resulting from his confinement, which requires his removal to a hospital, or the presence of some person with him, particularly at night.

I agree with General Weyler that all prisoners should be treated exactly alike, but this should not prevent exceptions being made specially in a case such as that of Sanguily, namely, that of an unusually long confinement with no decision rendered and bad health.

I am, Sir your obedient servant,

Fitzhugh Lee

Consul General.

2 Enclosures:

Mr. Lee to the Governor General, October 5th, 1896.

The Governor General to Mr. Lee, October 6th, 1896.

Enclosure No.1.
With Despatch No.164.
HABANA, October 8.1896.

Copy translation.

Consulate General of the United States,
Habana, October 5.1896.

To His Excellency,
The Governor Captain General of the Island of Cuba,
etc. etc. etc.

Excellency:-

Previous to the reception of the letter herewith enclosed my attention had been called to the case of the American citizen Julio Sanguily, who has now been confined in a cell in the fortress "Cabaña" for 19 months.

I have been informed that an appeal taken on the ground of some informality in the trial of the case had been successful, and that the case will have to be retried, at least from the point where a plea of this nature was sustained.

Knowing well that the case has passed beyond your jurisdiction, I only refer to the subject because if the second trial takes as long as the first he may remain a prisoner for the next 19 months. Therefore, he has some claim to have his condition ameliorated to some extent because through no fault of his, but from the action of the Court which tried him he has been and will be subject to a very long confinement, and Sanguily's health has suffered so much from his long confinement that his physical condition is not good, and that he requires attention.

The permission given to his wife and son to visit him each day, and to his son to sleep in the cell with him has been recalled, and that at this time his wife can only see him on visitor's day, and that his son has been told, that if he wants to sleep with his father he will have to stay

in the cell all the time or else depart and not return to said cell,which would deprive his father of his assistance, should he be needed during the night.

I respectfully request Mrs.Sanguily be permitted to visit her husband as formerly and that his son be allowed to leave the cell during the day for the exercise and fresh air necessary to youth,and in the evening be allowed to go back to his father's cell and remain during the night.

I take this opportunity etc.

etc. etc.

(Signed) Fitzhugh Lee.

Consul General.

Copy translation of letter from GENERAL GOVERNMENT of the ISLAND of CUBA,

Sir:-

I have to acknowledge the receipt of your communication,dated yesterday,asking [illegible] favor of the political prisoner Mr.Julio [illegible] of the requests he makes in the letter to you which you also accompany.

As is verified by the prisoner's own statements,he, although of the same category as others confined in the Cabaña fortress,has been the object on the part of the Government of concessions not granted to them and has been allowed unusual privileges to the extreme of having his son constantly with him.

It is not therefore possible,without incurring controversies always irritating to make him any further concessions,because to grant them,similar ones should justly and reasonably be granted to other prisoners of his class.

God guard you many years.

Habana,6th.October,1896.

(Signed)Valeriano Weyler.

Enclosure No.2.

With Despatch No.164.

HABANA, October 8.1896.

Copy translation.

GENERAL GOVERNMENT of the ISLAND of CUBA,

To the Consul General of the United States,

Habana.

Sir:-

I have to acknowledge the receipt of your communication, dated yesterday, asking for certain privileges in favor of the political prisoner Mr. Julio Sanguily, in view of the requests he makes in the letter to you which you also accompany.

As is verified by the prisoner's own statements, he, although of the same category as others confined in the Cabaña fortress, has been the object on the part of the Government of concessions not granted to them and has been allowed unusual privileges to the extreme of having his son constantly with him.

It is not therefore possible, without incurring controversies always irritating to make him any further concessions, because to grant them, similar ones should justly and reasonably be granted to other prisoners of his class.

God guard you many years.

Habana, 6th. October, 1896.

(Signed) Valeriano Weyler.

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RECEIVED. OCT 19 1896 BUR. ACCOUNTS. DEP. OF STATE.

ASSISTANT SECRETARY OCT 19 1896 DEPARTMENT OF STATE.

Santiago Instructed Dec. 2/96

No. 165.

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U.S.CONSULATE GENERAL.

HABANA, October 7th 1896.

---o---

Mr.LEE

to the

Department of State.

---o---

Respecting passage of F.DUARTE to the U.S.

Recommends U.S.Consul at S.de Cuba to obtain him same.

---o---

Pay out of Emergency Fund

No.165. UNITED STATES CONSULATE GENERAL.

HABANA, October 7th, 1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

Sir:

With respect to the Department's instruction number 104 of Sept. 26th, expressing its willingness to pay the expense of passage of Mr. P. Duarte to the United States, if obtained at reduced rates, and to arrange accordingly for his return, I beg to inform the Department that I have communicated the substance of said instruction to our Consul at Santiago de Cuba, recommending that he obtain Duarte a passage from that port, as more convenient and less expensive than to have him endeavor to come to Havana for that purpose.

I am, Sir, your obedient servant,

Consul General.

Consul at Santiago de Cuba instructed to draw on Secy of State for passage of Duarte to New York.

No. 166.

ASSISTANT SECRETARY
OCT 19 1896
DEPARTMENT OF STATE.

Apd Oct. 21/96

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U.S.CONSULATE GENERAL.

H A B A N A , October 7th,1896.

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Mr.LEE

to the

Department of State.

---------o---------

Case of "TERESA"estate,near Manzanillo.

Transmitting copy of a communication addressed to the Governor General.

---------o---------

1 enclosure.

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No.166.

UNITED STATES CONSULATE GENERAL.

HABANA, October 7th, 1896.

Honorable William W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

Sir:

With respect to the case of the "Teresa"estate near Manzanillo,I transmit for the information of the Department,copy of a communication I addressed to the Governor General on the 3rd instant.

I am,Sir,your obedient servant,

Fitzhugh Lee

Consul General.

1 Enclosure:

Mr.Lee to the Governor General,October 3rd,1896.

Enclosure No. 1-
With Despatch No. 166
Habana, October 7, 1896.

Copy translation.

Consulate General of the United States,

Habana, October 3, 1896.

To His Excellency,

The Governor Captain General of the Island of Cuba,

etc. etc. etc.

Excellency:-

I am directed in a despatch from the Department of State at Washington to call your attention to the withdrawal of the protection of your troops from the "Teresa" sugar estate, owned by citizens of the United States, and situated near Manzanillo. I am instructed to say that a report has been rendered to the Government at Washington by the Vice Consul at Santiago de Cuba stating that six estates surrounding the "Teresa" estate and similarly situated are still protected while protection is denied to the manager of the "Teresa".

It is claimed that no reason exists for this discrimination, and that if General Bosch in command in that section is correctly quoted, no military necessity is involved but a purpose to "chastise" the United States in the person of its citizens by exposing their property to the destruction.

My Government does not believe that this purpose animates the superior authority of Y.E. under whose orders General Bosch professes to act.

I have to ask, therefore, that no distinction be made between this and estates similarly situated, and that the withdrawn protection be restored and that Mr. Rigney, the manager of the estate, be granted free access to and from by water. I am informed General Bosch had prohibited a small coasting steamer from stopping at the "Teresa" estate

and that he would not have permitted Mr.Rigney to charter a vessel to go there,but consents to his visiting his estate by land from Campechuela or San Ramon. This permission,I am informed,is a virtual prohibition because of the impossibility of making such a trip without a proper escort of troops.

I take this opportunity etc.

etc. etc.

(Signed) Fitzhugh Lee,

Consul General.

Mr.LEE to the Department of State.

Transmitting copies of correspondence with the Governor General relative to the arrest of ANTONIO SUAREZ del VILLAR at Cienfuegos.

2 enclosures.

COPIED FOR CONGRESS.

ASSISTANT SECRETARY
OCT 19 1896
DEPARTMENT OF STATE.

Ans. Oct. 26

No. 167.

U.S.CONSULATE GENERAL.

HABANA, October 7th, 1896.

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Mr.LEE

to the

Department of State.

DIPLOMATIC
OCT 20
BUREAU

Oct 21

---------o---------

Transmitting copies of correspondence with the Governor General relative to the arrest of ANTONIO SUAREZ del VILLAR at Cienfuegos.

---------o---------

2 enclosures.

---------o---------

2D ASSISTANT SECRETARY.
OCT 19 1896

Com Bur
Dept. Pers

Mr. Rockhill

I think we can construe Gen Wesler's reply as an assurance that the treaty and protocol will be observed in regard to proceedings against Suarez, - but Genl Lee should assert his consular prerogative to see that all those treaty rights are secured. Nothing is gained by Genl Lee's discussing the higher diplomatic issues - which Wesler proclaims himself incompetent to treat.

Copy of this may go to Mr. Taylor, supplementing the Tolon case and showing the difficulty the Cons. Genl finds in presenting well-grounded remembrances of fact, as in this additional instance

of a citizen of the United States arrested without notified charges and held "incommunicado" at what seems to be the sole pleasure of the military authorities.

Alb

Dear Adele,

Do you not think Wagler's reply highly negative in every way. Three weeks 2 days after Lee's note, a reply to the same. As Lee's grounds for objecting to the appointment of Searcy are well known to Wagler, do you think he should reply to his note, protesting against the steps, or entirely wait till Wagler sees fit to act?

WR

No.167.

UNITED STATES CONSULATE GENERAL.

HABANA, October 7th, 1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

Sir:

With respect to the Department's instruction number 99 of Sept.22nd, and enclosures, from the Vice Consul at Cienfuegos, relative to the arrest of Antonio Suarez del Villar, a citizen of the United States, I transmit herewith for the information of the Department, a copy of a communication I addressed to the Governor and Captain General on the 3rd instant, and his answer thereto.

I am, Sir, your obedient servant,

Consul General.

Enclosure:

Mr. Lee to the Governor General, Oct. 3rd, 1896.
The Governor General to Mr. Lee, October 5th, 1896.

Enclosure No. 1

With Despatch No. 167

Habana, October 7, 1896.

Copy translation.

Consulate General of the United States,

Habana, October 3. 1896 .

To His Excellency,

The Governor Captain General of the Island of Cuba,

etc. etc. etc.

Excellency:-

I have the honor to call your attention to the arrest of Mr. Antonio Suarez del Villar, a citizen of the United States, at Cienfuegos.

Mr. Casanova, the Vice Consul at that place, addressed a communication on the 10th. of September to the General in Chief of the 2nd. Army Corps asking that this citizen be given all rights he is entitled to under the protocol of the 12th. of January 1877 between Spain and the United States.

To this General Pin replied by referring him to Y.E. as the superior authority because as he said he had no jurisdiction in the matter.

This citizen was at the date of the report of the Vice Consul, namely, September 12th., still "incomunicado" in which condition he has been kept up to said date, seven days. This is contrary to existing laws and treaties unless in the position you have assumed that a state of war or siege suspends them.

My Government insists that your position in this matter cannot be maintained; that the question has already been settled by precedents and that no state of war or proclamation of martial law can deprive American citizens of the rights now possessed in accordance with treaty stipulations.

I am further instructed to ask that the Vice Consul at Cienfuegos be recognized in the enjoyment of all rights of local complaint granted to the "Consuls of the "most favored nation, and in particular to those of "Germany".

I take this opportunity etc.

etc. etc.

(Signed) Fitzhugh Lee.

Consul General.

As soon as I was notified that Mr. Antonio Suarez del [illegible], of Cienfuegos, and arrested according to my informa- [illegible], for just cause, alleged his citizenship of the United States of America, I ordered the transmission to this City of the proceedings instituted in order that in view thereof and subsequent to the proper steps, as provided by our laws, I may resolve accordingly; which proceedings cannot possi- bly be waived, to the end that the clauses of the protocol of the 18th. of January, 1877, may be applied to those entit- led to same, and that the resolutions adopted in consequence should have due legal force.

I have the honor to inform you as above as an answer, in part, to your communication of the 2nd. instant.

God guard you many years.

Habana, 5th. October, 1896.

(Signed) Valeriano Weyler.

Enclosure.No. 2-

With Despatch No. 167-

HABANA, October 7.1896. -

Translation.

ARMY of the ISLAND of CUBA,

Captaincy General, Office of the Staff.

To the Consul General of the United States,

Present.

Sir:-

As soon as I was notified that Mr.Antonio Suarez del Villar, of Cienfuegos, and arrested according to my information, for just cause, alleged his citizenship of the United States of America, I ordered the transmission to this City of the proceedings instituted in order that in view thereof and subsequent to the proper steps, as provided by our laws, I may resolve accordingly; which proceedings cannot possibly be waived, to the end that the clauses of the protocol of the 12th.of January, 1877, may be applied to those entitled to same, and that the resolutions adopted in consequence should have due legal force.

I have the honor to inform you as above as an answer, in part, to your communication of the 2nd.instant.

God guard you many years.

Habana, 5th.October, 1896.

(Signed) Valeriano Weyler.

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No. 168.

ASSISTANT SECRETARY
OCT 13 1896
DEPARTMENT OF STATE

U.S.CONSULATE GENERAL.

HABANA, October 9th, 1896.

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Mr. LEE

to the

Sec. Dept. (tel) Fo
Mexico Oct. 14 1896
Oct. 15 1896

Department of State.

DIPLOMATIC
OCT 16 1896
BUREAU.

---------o---------

Case of MANUEL FERNANDEZ CHAQUIELO.

Will be tried by court-martial.

---------o---------

3 enclosures.

---------o---------

No.168.

UNITED STATES CONSULATE GENERAL.

HABANA, October 9th, 1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

Sir:

I have the honor to transmit herewith a communication from General Weyler. You will note that Mr. Manuel Fernandez Chaqueilo is to be tried by court martial. This young American citizen landed on the coast of the Island not far east of Havana, and with Charles Govin and others joined the insurgent troops a day or two thereafter, and was engaged in the combat between the Spanish General Ochoa, which took place on the 9th of July in the Havana province, between Jaruco and the coast.

It will be remembered that he is the person who testified more than once to the representative of this Consulate, that he was tied to Charles Govin, (the manner of whose death is now a matter of contention between General Weyler and myself), on the afternoon of the day of the combat and slept in that position with Govin the night of the fight in the open air near San Matias.

This statement if correct, and I have every reason to believe it is, confutes the theory advanced by the Spanish authorities that Charles Govin was wounded and taken prisoner in the encounter before mentioned and that he died next day of his wounds.

If Fernandez Chaqueilo is court martialed and shot it will be perceived that a most important witness in the Govin controversy is silenced.

I do not understand the object of trying a captured prisoner

of war when there is no denial on the part of said prisoner that he was an insurgent or that he was fighting at the time of capture"with arms in his hands".

I have been informed that the prisoners who are so often shot at the "Cabana",under sentence of court martial,generally have in addition to the charge of bearing arms and duly captured with same, the additional accusation brought against them of being incendiaries,a crime for which they can be shot under Spanish law. I send you a notice cut from "La Lucha" of an execution of this kind which takes place to-morrow morning.

I have,therefore,asked General Weyler to let me know if there is any other charge against this American citizen than his participation and capture, in a fight with Spanish troops.

I shall demand that prisoners of war be treated in accordance with the custom of civilized nations,namely: held in confinement,paroled or exchanged. Were it otherwise it would be better to raise the "black flag" and shoot all prisoners as fast as they are captured.

I am,Sir,your obedient servant,

Fitzhugh Lee

Consul General.

3 Enclosures:

Captain General to Mr.Lee,Oct.7.

Mr.Lee to Captain General,Oct.8.

Cut from LA LUCHA.

Enclosure No.1.

With Despatch No. 168.

H A B A N A , October 9th,1896.

Translation.

ARMY of the ISLAND of CUBA.

CAPTAINCY GENERAL.-- Office of the Chief of Staff.--

To the Consul General of the United States.

HABANA.

Sir:-

After hearing the opinion of the Attorney General, ("Ministerio Fiscal") and in conformity with my Auditor General, under this date I have decided to declare my authority competent to continue cognizance of the proceedings of ordinary jurisdiction, in the cause instituted against the citizen of the United States, Mr. MANUEL FERNANDEZ CHAQUEILO, for having been captured with arms in his hand, during a combat of the forces of the Spanish Army with the insurgents.

Which I have the honor to inform you for your knowedge.

God guard you many years.

HABANA, October 7th, 1896.

(Signed) VALERIANO WEYLER.

---2---

Enclosure No. 2
With Despatch No. 168
HABANA, October 9, 1896.
Copy translation.

Consulate General of the United States,
Habana, October 8.1896.

To His Excellency:-

The Governor Captain General of the Island of Cuba,
etc. etc.

Excellency:-

I have the honor to acknowledge the reception of your communication of the 7th.instant in reference to the case of the citizen of the United States, Mr. Manuel Fernandez Chaquells, and to request that I be informed of the date of his trial, and whether there is any charge against him beyond the fact that he was an insurgent and captured with "arms in his hands".

I am etc.

(Signed) Pitzhugh Lee
Consul General.

---X---

Enclosure No. 3,

With Despatch No.168.

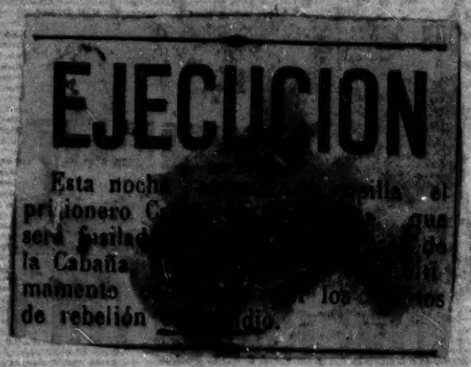
H A B A N A , Oct.9th,1896.

TRANSLATION.

From LA LUCHA of Havana.

EXECUTION.

To-night a death watch will be set on the prisoner Casimiro Piedrahita,who will be shot to-morrow at "La Cabana", to which penalty he has been condemned for the crimes of rebellion and incendiarism.



EJECUCION

Esta noch[illegible] el
prisionero C[illegible] que
será fusilad[illegible] en
la Cabaña[illegible]
mamento[illegible] los [illegible]os
de rebelión [illegible]dio.

2D ASSISTANT SECRETARY.

OCT 14 1896

Mr. Rockhill:

This comes back to me this morning.

You might see the Secretary and find whether he is disposed to send a telegram about Chaquicla to Mr. Taylor. There is precedent for it in Mr. Fish's telegram to me about Cavada "The Fire-King". I saw Cánovas. He agreed that to shoot the man was not a wise step and telegraphed to suspend proceedings and send papers to Madrid; but unfortunately Cavada had been drum-headed and shot the day before.

AAA

Mr Adler. 1st endorsement

This is important -
What do you think we
can do? Can I do
suggested in third paragraph
good -

Can Prof [redacted] endorse.
C.G. has been instructed
by cable. Ask Dept. and
confirm cable after Dec

MR

Suggested draft of telegram - Oct 15.

To Taylor. offered R.O.

Governor General has notified Consul General at Habana that Manuel Fernandez Chaquicla, American citizen, having been taken in combat with arms in hand, is to be tried by ordinary military jurisdiction. I am not informed that guarantees of third and fourth articles of protocol are denied, but it does not appear that any criminal charge is preferred taking the case out of the category of prisoner of war. He is a material witness in case of Govin. His execution would silence important testimony, besides contravening humane modern rules of warfare touching prisoners captured in open fight. You will intimate that moderation will best comport with friendly interests of both governments,

and ask that if convicted after trial with all stipulated guarantees, the case be remitted to Madrid for examination. Make all proper personal solicitation in his behalf.

Chaquillo case within provisions of Articles 3 & 4 of protocol. Insert that persons for benefit of their provisions. Is Captain-General proceeding under them? If he is, state upon what points you have doubt & read articles. ~~Dept. is not full Knowledge of~~ Facts. Report fully all facts of case.

The above was called to Gen'l Ker. Oct. 4-96

N.K

Copy

169

No. 169.

DIPLOMATIC
OCT 14 1896
BUREAU.

ASSISTANT SECRETARY
OCT 13 1896
DEPARTMENT OF STATE

Mr Adee
Inclosure in Wilson
Copied for Mr Taylor
by cable

J. Madrid
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U.S. CONSULATE GENERAL.

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HABANA, October 9th, 1896.

---o---

2D ASSISTANT SECRETARY.
Telegram to Legation at Madrid. Oct 13. 1896.
Copy this despatch to Mr. Taylor for
OCT 14 1896 confirming
So ack. telegram

aaa

Mr. LEE

to the

Department of State.

---o---

Cmd. Oct. 17.

Case of JULIO SANGUILY.

Suggesting that a request be made to Madrid for the amelioration of his condition during his continued confinement waiting for a new trial.

---o---

No.169.

U.S.CONSULATE GENERAL.

HABANA, October 9th,1896.

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

Referring to my despatch No.164,October 7th,in the case of JULIO SANGUILY,I respectfully request to know if the subject of his confinement could not be brought to the attention of the Government at Madrid,with the request that the authorities here be instructed to have his confinement made more endurable. It seems to me that this should be done, first,on the ground of his ill health; second,that as a political prisoner he has been already imprisoned over 19 months, and that the Supreme Court at Madrid has remitted his case for retrial,I am informed, on the ground that there was a lack of proof to warrant his conviction.

If it is proposed,therefore, to punish him still further because as the Supreme Court said,the court of original jurisdiction did not have the proof to convict,it seems that it would be an act of justice to ameliorate his condition,at least to some extent,while waiting for a new trial.

I am, Sir, very respectfully,

Your obedient servant,

Fitzhugh Lee

Consul General.

ASSISTANT SECRETARY
OCT 13 1896
DEPARTMENT OF STATE

To Madrid Oct-15

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OCT 13 1896
DEPT. OF STATE

U.S.CONSULATE GENERAL.

HABANA, October 9TH, 1896.

OCT 15 1896
BUREAU.

Mr. LEE

to the

Department of State.

Rec'd. Oct. 17.

Protest of Mr.LOUIS WERTHEIMER.

Forwarding copy of his affidavit to be filed therewith.

2 enclosures.

M. Faim.

No.1 7 0.

U.S.CONSULATE GENERAL.

H A B A N A , October 9th,1896.

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:-

With reference to my despatch No.57,July 18th,forwarding a protest of Mr.LOUIS WERTHEIMER,respecting the prohibition of this Government to the shipment of certain of his tobacco, I herewith transmit copies of a letter covering his affidavit to supply certain information lacking in said protest,and a copy of said affidavit to be filed with his protest.

I am, Sir,

Very respectfully, your obedient servant,

Consul General.

Enclosures.

1. Mr.Wertheimer to Mr.Lee,Sept:28th,1896.
2. Copy of his affidavit referred to.

Enclosure No.2
With Despatch No. 170.
Enclosure No. 1 ——
With Despatch No. 170.
HABANA, October 9. 1896. —
~~Habana, September 28. 1896.~~
Copy.

Key West, September 28. 1896.

Fitzhugh Lee, Esq.,

U.S. Consul General,

Habana.

Sir:—

Acknowledging the receipt of your favor of the 23rd. inst., I enclose an affidavit made by me here to supply the information desired by the Dept. of State, and you can use same if it covers the point. As a matter of fact, my protest before you on the 17th. of July plainly develops the essential facts: that my tobacco was purchased before the "Weyler edict", and any further data while they make the case even clearer, are probably not essential. However, the affidavit enclosed gives all the information as set forth in these Spanish affidavits, and I trust that you will be able to obtain the relief asked for.

Two months and a week have elapsed since the protest, and, being in the right, as I am, I should like some more favorable news.

Yours very truly,

(Signed) Louis Wertheimer.

The affidavit accompanying the petition for permission to ship the 70 bales is used for the 237 bales; made by the same Louis Wertheimer and José B. Herrera and the quantities of tobacco therein set forth with name of seller, date of purchase and quantity bought, are as follows:

—————0—————

Month	Day	year	Of whom bought	Number of bundles of tobacco bought
March	18	1896	Rufino de la Torre	578.
April	7	"	Antonio Perez	2521.

Enclosure No.2
With Despatch No. 170.
HABANA, October 9th, 1896.

The affidavit accompanying the petition for permission to ship the 237 bales, is a sworn statement shewing that on the days here set forth, the following quantities of leaf tobacco were bought by Louis Wertheimer. The affidavit is made by Louis Wertheimer and is also sworn to by José B. Herrera who was present at each and every one of these transactions and who swears to the knowledge of these purchases by reason of having in person witnessed all of them, to wit:-

Month	Day	year	Of whom bought	Number of bundles of tobacco bought
March	3	1896	Margarito Berrego	656.
"	15	"	Rufino de la Torre	512.
"	20	"	Pedro Rodriguez	700.
"	28	"	Marcos Alfonso	185.
"	29	"	Francisco Echezabal	430.
April	8	"	Pedro Maria Martinez	338.
"	9	"	Tato Llanes	320.
"	9	"	Agustin Perez	899.
"	17	"	Vicente Chacon	2395.
"	22	"	Sixto Rodriguez	1017.
"	24	"	Berrego (hijo)	129.
"	27	"	Maura Zatarain	1282.
"	30	"	Juan Filipe	280.
"	30	"	Anastasio Valiente	1098.
May	1	"	Domingo Perez	302.
"	2	"	Agustin Perez	224.

The affidavit accompanying the petition for permission to ship the 70 bales is identical in form as that used for the 237 bales; made by the same Louis Wertheimer and José B. Herrera and the quantities of tobacco therein set forth with name of seller, date of purchase and quantity bought, are as follows:-

Month	Day	year	Of whom bought	Number of bundles of tobacco bought
March	15	1896	Rufino de la Torre	578.
April	7	"	Antonio Perez	2521.

Key West,Florida,

September 28th.1896.

Louis Wertheimer being duly sworn,deposes and says, that the foregoing statement of tobacco purchased by him, is the same as is detailed in the two affidavits made by him in the Spanish Language before Don Antonio de Porto y Castro,Notary public of San Antonio de los Baños,which said affidavits were filed on June 30.1896 with the Spanish authorities accompanied by two petitions requesting permission to export the tobacco. The literal translation of the said petitions is as follows:-

"Mr.Louis Wertheimer,American citizen,residing "in the Hotel Inglaterra,says to your Excellency with due "respect:- That he has assorted (packed) the bundles of to- "bacco which the affidavit herewith sets forth and that same "have yielded two hundred and thirty seven bales of said leaf "which he desires to export and for which he comes to Your "Excellency that you order the custom house of this port to "take charge and give course to the necessary papers for said "number of bales. It is justice which he does not doubt achiev- "ing at your hands etc. etc. etc. "

Habana,June 30.1896.

To His Ex.The Captain and Governor General.

The petition filed with the other affidavit is identical with the foregoing,except that seventy bales is the quantity set forth. (SGD) LOUIS WERTHEIMER

Sworn to and subscribed before me at Key West,Fla. this 28th.day of September,A.D.1896.

(SGD) RAMON ALVAREZ

Notary Public.

---------0---------

No.171.

DIPLOMATIC
OCT 16 1896
BUREAU

U.S.CONSULATE GENERAL.

HABANA, October 10.1896.

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INDEX BUREAU
REC'D.
OCT 16 1896
DEPT. OF STATE

Mr.Lee

2D ASSISTANT SECRETARY.
Ack by subject & file.
OCT 16 1896

to the Recd Oct. 20.

Department of State.

----------O----------

Case of the "Teresa" estate, near Manzanillo.

----------O----------

2 enclosures.

----------O----------

No.171.

Consulate General of the United States,

Habana, October 10.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

With further reference to the case of the estate "Teresa", near Manzanillo, belonging to the American citizen, Mr.Joseph Rigney, I have the honor to transmit herewith copy-translations of communications received from the General Government; in the first one the Captain General stating in effect to the Governor General that Mr.Rigney was now on said estate; and with regard to the construction of forts and forces to garrison them, he must apply to the General commanding at Manzanillo.

The second communication, signed by the Governor General, in reply to mine of the 2nd.instant.- of which I transmitted the Department a copy with my No.166,- refers to protection afforded estate as depending upon the necessities of the Campaign; and the reasons for refusing to allow Mr.Rigney to charter a steamer to land him at a point not authorized for vessels nor garrisoned by army forces; that he made his way to his estate by Campechuela; that there existed no prejudice against American citizens, and the statement attributed to General Bosch was inexact; and that Mr.Rigney had been furnished, as an exception, with a salvo conducto on August 14th., good for two months; all a repetition of previously fufnished information.

I have sent copies to Mr.Rigney through our Consul at Santiago de Cuba, for his information.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

2 Enclosures:-

Enclosure No.1.
With Despatch No.171.
HABANA, October 10, 1896.

Copy translation.

ARMY of the ISLAND of CUBA,
Captaincy General, Office of the Staff.
HABANA, October 8, 1896.

The protection given by the forces of the Army to private property, depends on the necessities of the campaign, attending to the general plan of operations, which under my direction are being aided by the military Authorities, stimulated by the instructions they receive to that effect. In view thereof, forces are accidentally destined to plantations, which in case of need are withdrawn, for the purpose of attending to the principal object of completely dominating the insurrection as soon as possible.

Such must have been the case with the "Central Teresa", the owner of which, Mr. Joseph Rigney, was authorized to go to his estate via Campechuela or San Ramon, and not by Ceiba Hueca as he desired, because the clearance of vessels for ports of the coast not conveniently authorized nor garrisoned by forces of the Army, was prohibited; for which reason, the permit to charter a steamer and to land at the place Mr. Rigney suggested must have been denied by the General Commandant at Manzanillo.

On the other hand, the authorization granted to Mr. Rigney does not constitute a prohibition for him to go to his estate, that in your communication of the 2nd instant you have been informed, inasmuch as the said gentleman made his trip by way of Campechuela, according to information, and at his own request.

probably habilitado, open to entry.

Enclosure No. 2

2.

With Despatch No. 77

Habana, October 7, 1896.

Copy translation.

GENERAL GOVERNMENT of the ISLAND of CUBA,

OFFICE of the SECRETARY GENERAL.

With respect to the statement attributed to General Bosch, it is not correct, as I told you verbally, and I now assure you again that there cannot be and there is no prejudice against American citizens, who are considered the same as those of other Nations.

I have also to inform you and I thought you knew it, that Mr. Joseph Rigney who came to this Captaincy General accompanied as it was said, by a clerk of of that Consulate, was furnished on the 14th August last, although it is not usually done and was an exception, with a safe conduct, good for two months, to go and reside at the "Central Teresa" in the jurisdiction of Manzanillo; all of which I inform you in answer to your communication of the 2nd instant.

God guard you many years,

(Signed) Valeriano Weyler.

To the Consul General of the United States,

Habana.

"American citizen, Mr. Joseph "Rigney, co-part[illegible] 'Teresa', at Ceiba Hueca, "to whom I issued a safe con[illegible] to go "to said estate; I have the honor to inform Y.E. that it ap- "[illegible] from the [illegible] that Mr. Rigney "is already in the said estate to which he went by way of "Campechuela; and with respect to the construction of fort- "resses which he wishes to build on his own account at Ceiba "Hueca and forces which are to garrison them, Mr. Rigney should "apply to the Commandant General of Manzanillo, the proper "authority to attend to the distribution of the forces and "defense of the territory under his command, in harmony with "the instructions and general plan of the campaign operations".

By order of His Excellency I transmit you the above for your information and in answer to your courteous note of the 16th. September.

God guard you many years.

Habana, October 7, 1896.

(Signed) Marques de Palmerola

To the Consul General of the United States,

Habana.

Enclosure No.2

With Despatch No./71

Habana,October/0,1896.

Copy translation.

GENERAL GOVERNMENT of the ISLAND of CUBA,

OFFICE of the SECRETARY GENERAL.

HABANA,October 10.1896.

His Excellency the Captain General in a communication dated the 27th.of September reports to His Excellency the Governor General as follows:-

"Excellency:- Having read the communication which under "date of the 16th.instant the Consul General of the United "States addressed to Y.E.and which Y.E.transmits to me on "the same date,relative to the American citizen,Mr.Joseph "Rigney,co-partner of the 'Central Teresa',at Ceiba Hueca, "to whom I issued a safe conduct good for two months to go "to said estate; I have the honor to inform Y.E.that it ap- "pears from the antecedents of this matter,that Mr.Rigney "is already in the said estate,to which he went by way of "Campechuela; and with respect to the construction of fort- "resses which he wishes to build on his own account at Ceiba "Hueca and forces which are to garrison them,Mr.Rigney should "apply to the Commandant General of Manzanillo,the proper "authority to attend to the distribution of the forces and "defense of the territory under his command,in harmony with "the instructions and general plan of the campaign operations".

By order of His Excellency I transmit you the above for your information and in answer to your courteous note of the 16th.September.

God guard you many years.

Habana,October 7.1896.

(Signed)Marques de Palmerola

To the Consul General of the United States,

Habana.

2D ASSISTANT SECRETARY.
Copy to Legation at Madrid
Ack by subject.
OCT 16 1896

To Madrid Oct-17 Ack'd Oct. 21.

No.172.

DIPLOMATIC
OCT 16 1896
BUREAU.

U.S.CONSULATE GENERAL.

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RECD
OCT 16 1896
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H A B A N A, October 10.1896.

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Mr.Lee

to the

Department of State.

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Fines on steamers New York & Cuba Mail S.S.Co.

Transmits a communication from the General Government to the effect that proceedings to collect the fines would be suspended, pending diplomatic negotiations.

1 enclosure.

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No.172.

Consulate General of the United States,
Habana, October 10.1896.

Honorable William W. Rockhill,
Assistant Secretary of State,
Washington.

Sir:-

Referring to my despatch No.109, of September 2nd. and the Department's instructions No.82, of the 10th. September relative to obtaining the condonation of certain fines imposed upon several of the steamers belonging to the "New York and Cuba Steamship Co.", I have the honor to transmit herewith copy-translation of a communication received from the General Government, transmitting a report of the Intendent of Finance in which it is stated that suspension of the proceedings instituted for the collection of said fines, had been ordered until the resolution of the diplomatic negotiations; "provided the fines in question be duly guaranteed to the satisfaction of the Collector of Customs".

I have also sent Messrs. James E. Ward & Co., the New York agents of said Company, a copy of said communication for their information.

I am, Sir,
Your obedient servant,

Fitzhugh Lee
Consul General.

Enclosure:-
Marques de Palmerola to Mr. Lee, October 6.1896.

Enclosure No./

With Despatch No./72

Habana, October /0, 1896.

Copy translation.

GENERAL GOVERNMENT of the ISLAND of CUBA,

Office of the Secretary General.

His Excellency, the Intendant General of Finance, in a communication dated the 25th. September last, reports to His Excellency the Governer General as follows:-

"Excellency:- In view of Y.E.'s courteous communi-
"cation of the 7th. instant transmitting to me another one
"from the U.S. Consul General, requesting the suspension of
"the attachment proceedings initiated for the collection of
"the fines imposed on the masters of the Ward Line of Ameri-
"can steamers of New York, of which Messrs. Hidalgo & Co/ are
"agents in this city, pending diplomatic negotiations at Madrid
"to obtain the condonation of said fines; I have the honor
"to inform Y.E. in compliance with the directions expressed
"in your said communication, that under this date and also in
"consequence of the petition of said firm dated the 1st. in-
"stant, relative to the matter; the custom house of this port
"is ordered in view of superior resolutions dictated in pre-
"vious expedientes, of the parties concerned for the purpose
"of suspending the proceedings initiated for the collection
"of penalties like the present, that the suspension be adopted
"in this case untill the resolution of the diplomatic nego-
"tiation ; provided the fines in question be duly guaranteed
"to the satisfaction of the Collector of Customs".

By order of Y.E.I communicate to you the above in answer to your note of the 4th. of September relative to this case

God guard Y.E. many years.

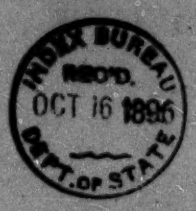
Habana October 6th. 1896

(Signed) Marques de palmerola.

To the Consul General of the United States
Habana.

No.173.

U.S.CONSULATE GENERAL.



H A B A N A, October 10.1896.

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Mr. Lee

Ans
10/20/96

to the

Department of State

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Receipt of telegram of Oct.9th., and forwarding report in reply to No.95 respecting Messrs.Perlman and Company's tobacco.

----------O---------

No.173.

Consulate General of the United States,

Habana, October 10.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honor to acknowledge the receipt of your telegram dated 9th.instant, reading:-

"Send at earliest date reply to my ninety five.Rockhill".

The said instruction No.95, is relative to the prohibition of the Spanish authorities, under General Weyler's decree of the 16th.May last, to allow the shipment to the United States of certain tobacco belonging to Messrs.Joseph Perlman and Co., of Baltimore, and I am instructed to report in this case, should the authorities continue to refuse to release the goods in question.

In reply I have to state that this subject has given me considerable thought, but taking into account the similar cases that have arisen since that of Messrs.Perlman and Co., and the repeated refusal of the Government in each application to consent to the shipment of tobacco, owned by Americans, which has given rise to several protests made before me, of which copies have been forwarded to the Department, - I have considered it useless to make a special request for the shipment of Messrs.Perlman and Co.'s tobacco, assured beforehand of a refusal.

I am depending for a settlement of this difficulty upon the assurance of the Department's telegram to Mr.Williams of the 26th.of May last, and the efforts of our Legation at Madrid, as stated in your instruction No.106 of the 28th.ult.

I shall do all I can to promote and protect the interests of Americans in this section by giving all aid in my power, when called upon to advance even their private business matters, but I have been creditably informed that a good

deal of the tobacco here whose immediate export is so persistently urged by American citizens, is not their property, but that some of them are temporary owners for the purpose solely to effect the exportation, or are employed at high compensation to secure the object in view by reinforcing their demands with the powerful influence of the United States Government.

I am, Sir,

Your obedient servant,

Consul General.

Copy

TELEGRAM RECEIVED IN CIPHER.

ASSISTANT SECRETARY
OCT 1896
DEPARTMENT OF STATE.

Secretary of State.
OCT 13 1896

From Havana, October 12, 1896.

Received 8 15 P.M.

Assistant Secretary of State,
Washington, D.C.

Rec'd. Oct 14.

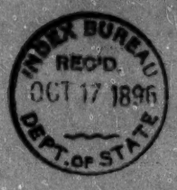
Adolphus Torres, American citizen, arrested 4 inst. Dagua la Grande. Charges as yet unknown. Demanded that he is placed in the custody of court of justice and that his rights under the treaty, which no process of martial law suspends, be respected.

Lee.

Deciphered by Carr.

No. 1 7 4.

U.S.CONSULATE GENERAL.



H A B A N A , October 14th,1896.

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MR. LEE

to the

Department of State.

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Prohibition to ship tobacco.

Informed that tobacco alleged by Messrs JOSEPH PERLMAN & Co, to be theirs,does not belong to them.

Receipt of Department's telegram. Have asked Governor General that shipment of tobacco belonging to American citizens be allowed.

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one enclosure.

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No. 174.

U. S. CONSULATE GENERAL.

HABANA, October 14.1896.

Honorable William W.Rockhill,
Assistant Secretary of State,
Washington.

Ans 10/20/96

Sir:-

With reference to the Department's instructions No. 47 of August 1st.,No.95 of September 17th.and telegram dated October 9th.,all relative to the prohibition of this Government to the shipment of certain tobacco alleged to be owned by Messrs.Joseph Perlman & Co.,of Baltimore,and to the report on the subject forwarded in my No.173 of the 10th.instant, as well as to your cipher telegram,dated October 10th.,and received that same evening,which reads:-

"The Department having cabled instructions to our "Minister to Spain to urge immediate orders for allow- "ing shipments of embargoed tobacco in Cuba,Mr.Taylor "replies today as follows:- Minister for Foreign Affairs "promises relief in every case of contract made before "decree prohibiting shipments. Will also telegraph Cuba "urging non-interference in all cases where it is clear "that contract was made before decree.

I have now the honor to state with reference thereto,that my seeming inaction in regard to the matter,depended upon the fact that I was waiting to learn the decision of the Government in similar cases,and to receive further instructions from the Department respecting the cases reported as well as concerning tobacco belonging to other parties,for I have been informed,that the tobacco in special question did not belong to Messrs.Perlman & Co. Since writing my No.173,I have again been told by persons who are said to be reliable and worthy of credit,that Mr.José Alfonso,a Spanish subject,is the owner of the tobacco,which Messrs Perlman & Co.claim to own,but who are employed,as citizens of the United States,solely to urge ~~this~~ this case before the Department of State to secure the powerful influence of the United States Government in their

behalf,to effect the release of the tobacco from the Spanish authorities.

In conformity with your cipher telegram,I have addressed a communication to the Governor General stating in substance and requested that shipments be allowed of the tobacco owned by American citizens,when clear that the contracts of purchase were made previous to the decree of May 16th.,and I have understood that such includes the tobacco belonging to Messrs. F.Bauriedel & Co.,Bruno Diaz,E.H.Gato,Louis Wertheimer,Messrs. Bridat Mont Ros & Co.as agents of the American firm of Messrs. Seidenberg & Co.,and others.

I am,Sir,very respectfully,

Your obedient servant,

Fitzhugh Lee

Consul General.

Enclosure:-

1. Consul General Lee to the Governor General,Oct:12.1896.

No. 1 7 5.

Enclosure No. 1.

With Despatch No. 1 7 4.

H A B A N A , October 14th, 1896.

Copy-translation.

U.S.CONSULATE GENERAL.

H A B A N A , October 12, 1896.

To His Excellency,

The Governor Captain General of the Island of Cuba.

etc, etc,

Excellency:-

A dispatch from the State Department at Washington, informs me that the Minister of Foreign Affairs of Spain has telegraphed to Y.E. urging non-interference in the shipment of all tobacco owned by American citizens, when it is clear that the contract for the said tobacco was made previous to your decree of the 16th May last.

I understand that includes Messrs FEDERICO BAURIEDEL & CO, BRUNO DIAZ, E.H.GATO, LOUIS WERTHEIMER, BRIDAT MONT' ROS & CO, agents of the American firm of Messrs SEIDENBERG & CO, and others; and I therefore hope that the tobacco of the gentlemen named, and that of other persons whose contracts have been made as indicated in the dispatch from Spain, be allowed to be shipped without further restrictions or objections.

I am informed that the requisite proof of the tobacco of the gentleman I have named, certainly that of Messrs FEDERICO BAURIEDEL & CO, is on file at the Interdancy General of Finance, and I respectfully request that it be duly examined.

I am, etc, etc,

(Signed) FITZHUGH LEE.

Consul General.

2D ASSISTANT SECRETARY.
Ack & file.
OCT 17 1896

No. 175.

Ack. Oct 14/96

U. S. CONSULATE GENERAL.

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Secretary of State
OCT 17 1896

HABANA, October 14th, 1896.

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Mr. LEE

to

the

Department of State.

---------oo---------

Case of MANUEL FERNANDEZ CHAQUIELO.

Captain General cannot give information respecting date of his trial, nor charges against him further than rebellion with arms in hand.

---------o---------

One enclosure.

---------o---------

2D ASSISTANT SECRETARY.

OCT 17 1896

Dear Mr. Secretary:

In ordinary military trials, as in civil trials in Spain, the inquest (sumario) precedes commitment for trial by the open court. Like our grand jury inquest, the sumario is secret.

Reply Add

No. 175.-

U. S. CONSULATE GENERAL.

HABANA, October 14th,1896.

Hon: William W.Rockhill,
Assistant Secretary of State,
Washington. D. C.

Sir:-

With reference to my dispatch No.168,of 9th instant, relative to the note of Captain General WEYLER,that MANUEL FERNANDEZ CHAQUIELO is to be subjected to the military jurisdiction,and to my request of the Captain General to be advised if there is any other charge against this American citizen than his participation and capture in a fight with Spanish troops, I have now to transmit a copy-translation of General WEYLER'S answer, to the effect that he cannot state the date of FERNANDEZ' trial,nor the charges against him,further than that of rebellion with arms in hand, as the proceedings are in the stage of Sumario,or indictment, during which a strict reserve is kept, and when the case reaches the stage of plenario,or completed for presentation for trial, the accused will be informed of the charges against him.

I am, Sir, very respectfully,
Your obedient servant,

Fitzhugh Lee

Consul General.

Enclosure:
Captain General WEYLER to M r.LEE, October 10th,1896.

No. 176.

Enclosure No.1.

With Despatch No. 176.-

H A B A N A , October 14th 1896.

Translation.

Army of the Island of Cuba. Captaincy General.

Office of the Staff.

To the Consul general of the United States,

Present.

Sir:

In answer to your note of the 8th instant relative to the citizen of the United States Mr.Manuel Fernandez Chaqueillo,I have to inform you that it is not possible for me to state the date of his trial as that depends on the proceedings which are being instituted in ordinary trial (juicio ordinario),neither am I able to communicate to you the charges against him besides that of rebellion captured with arms in his hands,because the case is undergoing the process of being summed up (sumario), and as during this period a strict reserve is kept with gegard to the case it is not possible to specify the charges.

As soon as the case passes said period and is ready for presentation (plenario),during which time the proceedings are public,the accused may inform himself of the charges appearing against him.

God guard you many years.

Habana,October 10,1896.

(Signed) Valeriano Weyler.

No. 176.

U. S. CONSULATE GENERAL.

HABANA, October 14th, 1896.

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Ackd Oct 20/96

Inl. & Mailed Nov. 12

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MR. LEE

to the

Department of State.

---------o---------

Case of ADOLFO TORRES, an American citizen arrested at Sagua la Grande on the 8th instant. Consul BARKER states he was referred by authorities to apply to Captain General through this consulate general.

Have demanded the usual rights and privileges for him.

---------o---------

One enclosure.

---------o---------

No. 176.

U. S. CONSULATE GENERAL.

HABANA, October 14th,1896.

Hon:- William W.Rockhill,

Assistant Secretary of State,

Washington. D. C.

Sir:-

I have the honor to advise the following cypher telegram to the Department, which I now confirm:-

" Habana,October 12,1896.
" Assistant Secretary of State.
"ADOLPHUS TORRES,American citizen arrested 4th inst:
"Sagua la Grande,charges as yet unknown. Demanded that
"he is placed in custody court of justice,and that his
"rights und er the treaty,which no process of martial
"law suspends,be respected. LEE.

I was informed of this case by a letter from our consul at Sagua, who also reports upon the subject in his No.145 to the Department of State. Mr.BARKER states, that in reply to his communication to the Military Commandant at Sagua,inquiring the charges against TORRES,and demanding all the rights and privileges to which he is entitled as an American citizen, he was informed that he must address the Captain General through this office, and the interview he asked to have with the prisoner was also refused him.

I have consequently sent a communication to the Governor and Captain General asking to be informed of the charges against TORRES,and I protested against the period of incommunication having been extended beyond 72 hours,as prescribed by Art:506 of the Code of Criminal Procedure ruling in Cuba and Porto Rico. I also reminded H.E.that the question again comes up whether a state of war suspends such laws in their application to American citizens,and I cited to him an extract from Acting Secretary of State UHL'S telegram on the

the FRANCISCO CARRILLO case, to be found on pages 1220-21 of Foreign Relations, 1895.

I accompany copy of said communication.

I am, Sir, very respectfully,

Your obedient servant,

Fitzhugh Lee

Consul General.

One enclosure:-

Consul General LEE to the Governor General, Oct:13,1896.

Enclosure No.1

With Despatch No. 176.

H A B A N A , October 14th,1896.

Copy.

UNITED STATES CONSULATE GENERAL.

HABANA,October 14,1896.

To His Excellency the Governor and Captain General

of the Island of Cuba.

Excellency:

The Consul of the United States at Sagua la Grande in a communication received to-day,reports that the American citizen,Mr.Adolfo Torres,was arrested in that city on the 4th instant by order of the Military Commandant and placed in prison "incomunicado".

Seventy two hours thereafter,the Consul addressed a communication to the General commanding the zone,and requested that all rights be accorded to Mr.Torres,to which he is entitle under the treaty and protocol.

In reply the Consul was referred to Y.E.for the information he desired to obtain from the commanding officer at Sagua.

I respectfully request to be informed what charges have been proffered against this American citizen; as well as to protest against his being kept incomunicado for a longer perio than that fixed by article 506 of the Law of Criminal Procedure ruling in Cuba and Porto Rico.

This again brings up,as you will see,the question whether a state of war suspends all such laws. You have answered that it did,while I claim that it does not. I have referred the question to the Washington Government and I understand Y.E.to say that you had also referred it to that of Madrid.

A letter of the Acting Secretary of State,dated May 17,

1895, and referring to the case of FRANCISCO CARRILLO to which I previously directed your attention says:

> "The negotiations resulting in the protocol of 1877 "and the awards of the mixed commission in cases of arrest "without charge and imprisonment without trial show that "article 7 of the treaty of 1795, and the protocol which "interprets it, confers on citizens of the United States "arrested in Cuba during a state of siege or otherwise, un- "less with arms in their hands, absolute right to the bene- "fits and guarantees of the law ordinarily administered "in the civil courts and to be placed as soon as arrested "in the custody of the civil courts, excluding altogether "the right to deprive them of their liberty under any pro- "cesses of martial law."

The demand of the United States Government for the release of CARRILLO was complied with, and such action on the part of the authorities of Spain warrants the assertion and sustains the position I had taken: that a state of war does not suspend the rights and privileges of American citizens under the existing laws and treaties.

I am, etc. etc.

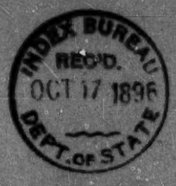
(Signed) FITZHUGH LEE,

Consul General.

1894
ALL LINEN

No. 177.

U. S. CONSULATE GENERAL.



HABANA, October 14th, 1896.

---------o---------

Mr. LEE

to the

Department of State.

---------o---------

Receipt of Instructions.

---------o---------

No.177.

U. S. CONSULATE GENERAL.

HABANA, October 14th,1896.

Hon: William W.Rockhill,

Assistant Secretary of State,

Washington. D. C.

Sir:-

I have the horor to ackrowledge the receipt of the Department's instructions from No.98,September 21, to No.114,October 2nd, both mumbers irclusive .

I am, Sir,

Very respectfully,

Your obedient servant,

Consul General.

2D ASSISTANT SECRETARY.
Ack. by Number and File.
OCT 17 1896

178

No. 178.

U. S. CONSULATE GENERAL,

INDEX BUREAU
REC'D.
OCT 17 1896
DEPT. OF STATE

HABANA, October 14.1896.

----------O----------

Rec'd. Oct. 20.

Mr. Lee

to the

Department of State.

----------O----------

Case of Manuel Fernandez Chaquiele. Receipt of Department's telegram.

----------O----------

No. 178.

U. S. CONSULATE GENERAL.

HABANA, October 14th, 1896.

Hon:-William W.Rockhill,

Assistant Secretary of State,

Washington. D. C.

Sir:-

Since writing my despatch No.175 of this date, relative to the case of MANUEL FERNANDEZ CHAQUIELO, I have received your cypher telegram, reading as follows:

" LEE Consul General. Habana.

"Your one sixty eight received, your position sound,
"that mere capture in combat with arms in hand and
"without additional criminal charge should not take
"CHAQUIELO out of the category of a prisoner of war,
"and he should be treated as such in accordance with
"civilized custom. Urge this earnestly in best inter-
"ests of our two countries.- ROCKHILL."-

As this case now stands, I do not see that I can do anything further than to watch for developments, and keep the Department promptly advised of what may occur.

I am, Sir, very respectfully,

Your obedient servant,

Fitzhugh Lee

Consul General.

2D ASSISTANT SECRETARY.
Ack + file - aag
OCT 17 1896

Ackd. Oct 20/96

No. 171

INDEX BUREAU
REC'D.
OCT 17 1896
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, October 14th, 1896.

M R. LEE

to

the Department of State.

Official reports regarding recent operations.

No.179. UNITED STATES CONSULATE GENERAL.

HABANA, October 14, 1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

Sir:

I have the honor to enclose a supplement to LA LUCHA, which the boys were crying in the streets of this city last night.

It will be observed that the Spanish authorities give to Maximo Gomez 5000 men and that they were opposed by 1800 infantry, 300 cavalry and two pieces of artillery under the command of general Jimenez Castellanos, and that the siege of the Spanish troops lasted thirteen days, during which the insurgents fired 219 "grenades". It will also be observed that in the 16 encounters which took place on the 4th, 6th and 9th instant, the Spaniards lost 5 privates killed, 2 chiefs, 3 officers and 51 privates wounded, and that they expended 18.380 cartridges in the defense of the town and 53.411 in the raising of the siege, and that their artillery made 49 discharges.

I transmit this Spanish report in order to show the Department the manner of conducting the Spanish campaign in this Island. Here are 16 encounters reported with a loss, as it is seen, to the Spanish troops, of some 6 or 8 killed and 51 wounded.

If these purported statements are correct, the great difficulty that military men, and others outside of the Island experience in understanding the campaign here can be readily seen and the prolongation of the war be readily understood.

I have seen as yet no reports representing the insurgent accounts of these combats.

I am, Sir, your obedient servant,

Fitzhugh Lee

Consul General.

One enclosure:

Enclosure No. 1

With Despatch No. 178.

H A B A N A , October 14th,1896.

TRANSLATION.

SUPPLEMENT to LA LUCHA. HABANA,Oct.13,1896.

PUERTO PRINCIPE.

The CASCORRO Affair.

OFFICIAL.

General Jimenez Castellanos reports on the 9th instant that he raised the siege, which the rebels had laid, after defeating all the forces of the insurgents of Camaguey and the Orient province in sixteen encounters on the 4th and 5th inst.

The rebel forces amounted to 5000 men, commanded by Maximo Gomez, Calixto Garcia, La Rosa, Vega, Lope Recio, Peña and other chiefs.

The column commanded by general Jimenez Castellanos amounted to 1800 infantry ,300 horses and two pieces of artillery.

On the 6th the column stopped at Cascorro to repair some damages caused by the 219 grenades that the rebels have fired during the 13 days of the siege.

On the 9th a combat took place at Desmayo which lasted four hours ending in the defeat of the enemy.

Losses of the column: 5 killed,2 Chiefs,3 officers and 51 privates wounded,and 19 horses killed.

The losses of the enemy cannot be estimated,but it is supposed that they suffered heavy losses,because 18.380 cartridges have been spent in the defense of the town, and 53.411 in the raising of the siege,our artillery having made 49 discharges.

In Maximo Gomez's camp the correspondence addressed to said Chief was captured.

---------o---------

GENERAL SECRETARY
OCT 30 1896
DEPARTMENT OF STATE

No. 160.

U. S. CONSULATE GENERAL.

INDEX BUREAU
RECVD.
OCT 30 1896
DEPT. OF STATE

HABANA. October 15th, 1896.

Mr. LEE

Suplemento á La Lucha.

Habana 13 de Octubre de 1896

PUERTO PRINCIPE

LO DE CASCORRO

OFICIAL

El general Jiménez Castellanos nos da cuenta con fecha 9 del actual de haber hecho levantar el sitio que los rebeldes tenían puesto á Cascorro después de arrollar en 16 encuentros en los días 4 y 5 á todas las fuerzas insurrectas del Camagüey y parte de las de Oriente que se oponían á su marcha.

Las fuerzas rebeldes ascendían á 5000 hombres, mandados por Máximo Gómez, Calixto Garcia, La Rosa, Vega, Lope Recio, Peña y otros cabecillas.

La columna mandada por el general Jiménez Casteltanos, se componía de 1800 infantes, 300 caballos y dos piezas.

El dia 6 se detuvo en Cascarro para reparar los desperfectos ocasionados por 219 granadas que los rebeldes han disparado en los 13 dias que ha durado el sitio.

El dia 9 sostuvo un combate de cuatro horas en el Desmayo con las mencionadas partidas reunidas derrotando al enemigo.

Bajas de la columna: 5 muertos, 2 Jefes, 3 oficiales y 51 de tropa heridos, 19 caballos muertos.

Las bajas del enemigo no pueden aún precisarse, pero se sopone han sido muchas, porque en buenas condiciones se han consumido 18.380 cartuchos de fusil en la defensa del poblado 53.411 en el levantamiento del sitio, habiendo hecho nuestra artilleria 49 disparos.

En el campamento de Máximo Gómez se ha cogido la correspondencia dirigida á este cabecilla.

Imprenta y estereotipia O-Reilly 9

ASSISTANT SECRETARY
OCT 20 1896
DEPARTMENT OF STATE.

No. 180.

U. S. CONSULATE GENERAL.

INDEX BUREAU
REC'D.
OCT 20 1896
DEPT. OF STATE

HABANA, October 15th, 1896.

Secretary of State
OCT 20 1896

Mr. LEE

TO THE

DEPARTMENT of STATE.

Fille

MILITARY OPERATIONS.

No.180. UNITED STATES CONSULATE GENERAL.

HABANA, October 16th, 1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

Sir:

With reference to my previous despatch number 179 of yesterday's date relative to the Cascorro affair, I beg to transmit a translation of an order published to-day by General Weyler congratulating the Spanish troops for their conduct, which reads as follows:

"ARMY OF OPERATIONS IN CUBA. GENERAL STAFF.

"Addition to the GENERAL ORDER of the Army of the 14th "October, 1896, at Habana:

"A company of the first batallion of the regiment "of Maria Cristina which garrisoned the village of Cas- "cerro, defended itself for a period of 13 days against insurgent forces superior in number commanded by the prin- "cipal chiefs of the Oriental region, directed by Maximo "Gomez.

"Neither the 219 grenades fired against them, nor the "weakness of the walls of the three forts of the place, "nor the repeated intimations to surrender, nor the 4 "killed and 11 wounded which they had, were sufficient to "diminish the courage of the defenders for one instant, "in the assurance that they would be assisted, as they "were, by the forces of General Castellanos, Commandant "General of the Division.

"Such a brilliant exploit affords me the pleasure " of publishing it in a general order for the information "of the Army, and in the name of Her Majesty the Queen

"Regent (whom God preserve) I congratulate the defenders "of Cascorro who will be rewarded as they deserve because "they have been able to show,by their valor,that not in "vain they bear the name of such an August Lady,once again "exalting the qualities of this Army of operations,the "command of which is an honor for your General,

VALERIANO WEYLER.

I confess I do not understand the operations of the "Army of operations",which called forth the congratulatory proclamation of the general commanding. One company that can defend itself in three forts,all of which have weak walls,for 13 days, against a largely superior hostile force commanded by their principal officers,and only lose 4 killed and 11 wounded,is calculated to supply plenty of inspiration to the besieged, as well as an abundance of incredulousness to any one who knows something of war. There are brave men fighting here on both sides,but so far there has been no display of dash enterprise, tactics or strategy,or the use of good ammunition.

I am,Sir,your obt.servant,

Consul General.

Ejército de operaciones de Cuba.

E. M. G.

Adición á la ORDEN GENERAL del Ejército del día 14 de octubre de 1896, en la Habana.

Una compañía del primer batallón del regimiento de María Cristina que guarnecía el poblado de Cascorro, se ha defendido durante 13 días, contra fuerzas insurrectas muy superiores mandadas, por los principales cabecillas de Oriente, dirigidas por Máximo Gómez.

Ni las 219 granadas que le dispararon, ni la debilidad de los muros de sus tres fuertes, ni las repetidas intimaciones de rendición, ni los 4 muertos y 11 heridos que tuvieron, fueron bastantes para conseguir que el ánimo de los defensores decayese un instante, seguros como estaban de que serían socorridos, como lo fueron, por las fuerzas del General Castellanos, Comandante General de la División.

Tan brillante hecho me complace publicarlo en orden general para conocimiento del ejército, y en nombre de S. M. la Reina Regente (q. D. g.), felicito á los defensores de Cascorro que serán recompensados cual merecen porque han sabido, con su valor, demostrar que no su vano lleva en reglamento el nombre de tan Augusta Señora, poniendo una vez más de relieve las cualidades de este ejército de operaciones que se honra en mandar vuestro general,

VALERIANO WEYLER.

Copy.

OCT 16, 9.34 AM 1896
CHF. CLKS. OFFICE
RECEIVED

TELEGRAM ~~SENT~~. Received, Cipher

2D ASSISTANT SECRETARY.
OCT 15 1896

Department of State,

Washington, _____, 189 .

Rec'd Oct. 17.

Havana October 15, 1896

[Read 4.05 p.m.]

Assistant Secretary of State
Washington, D. C.

Proceedings against the party mentioned in yesterday's despatch * will be resisted unless in conformity with law and protocol. The case not summed up yet. See my despatch No. 178, mailed yesterday.

Lee.

[* Chaquelo.]

Sent _____, 189 ____ M.

_____, Operator.

Habana.

October 15. 1896.

INDEX BUREAU
REC'D.
OCT 16 1896
DEPT. OF STATE

Form No. 3.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

DEPT. OF STATE
OCT 15 8 10 AM '96
CHIEF CLERK'S OFFICE
RECEIVED
Secretary of State

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FIVE ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:

All Offices (21,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN:

LONDON:
No. 21 Royal Exchange, E. C.
No. 109 Fenchurch Street, E. C.

LIVERPOOL: No. 8 Rumford Street.
GLASCOW: No. 29 Gordon St. and No. 4 Waterloo St.
BRISTOL: Backhall Chambers.

NUMBER	SENT BY	RECD BY	No. OF WORDS.	FROM
2	Co	Y.	Sx	US Govt Havana 33,

RECEIVED at Washn DC. 7 57 Pm. Oct 15 1896

10

Assistant Secretary State Washington DC

General Wayler says today he has received no information from his government about american tobacco here as mentioned in your despatch of the tenth.

Lee.

90

DEPT. OF STATE
OCT 16, 2 05 PM 1896
CHF. CLKS. OFFICE
RECEIVED

2D ASSISTANT SECRETARY

INDEX BUREAU
RECD.
OCT 19 1896
DEPT. OF STATE

Secretary of State
OCT 16 1896

TELEGRAM RECEIVED.

From Havana Oct 16

Oct 16, 1896.

Received 2 P.M.

Assistant Secretary of State,

Washington, D.C.

File despatch will be sent.

Spanish authorities attempted to arrest and remove from American Ward line steamer Vigilancia last night as she was on the point of sailing for Mexico passenger who had taken passage from New York to Vera Cruz, the Captain properly refused to deliver him up. The matter was submitted to me this morning. Have approved Captain's course and refused consent that this transit passenger be so treated. See letter June 5, 1872 from State Department to Torbert, then Consul General here

Lee

Dom'r.

2D ASSISTANT SECRETARY
OCT 16 1896

INDEX BUREAU
REC'D.
OCT 19 1896
DEPT. OF STATE

TELEGRAM RECEIVED IN CIPHER.

From Havana, Oct. 16.1896.

Received 2.10 P.M.

File

Assistant Secretary of State,

Washington, D.C.

Secretary of State.
OCT 1896

Vigilancia after twelve hours detention sailed for Mexico, her destination. My action prevented arrest and removal of transit passenger.

Lee.

Biddle.

Copy.

No. 181.

INDEX BUREAU
REC'D.
OCT 20 1896
DEPT. OF STATE

ASSISTANT SECRETARY
OCT 20 1896
DEPARTMENT OF STATE

Inclosure 1 to U.S. Consul General Lee's Dispatch No. 181, of 10/16/96.

U. S. CONSULATE GENERAL.

HABANA, October 16th, 1896.

File

Mr. LEE

TO THE

DEPARTMENT of STATE.

File

Prohibition for the shipment of tobacco.

Advising telegram that General WEYLER says he has no instructions from Madrid.

Suggests that Foreign Minister be asked to telegraph for the "expedientes" be sent to Madrid for resolution.

----------o----------

No. 181.

U. S. CONSULATE GENERAL.

HABANA, October 16th, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State,

Washington . D. C.

Sir:-

With reference to my despatches numbers 138 and 146, of September 18th and 25th respectively, regarding the prohibition of the Spanish Government to allow Messrs F. BAURIEDEL & CO to export certain tobacco from this port, and to my No. 174, of the 14th instant, in which latter I acknowledged the receipt of your telegram dated October 10th, and also informed the Department that I had communicated its substance to the Governor General, I have now to advise the Department, that I yesterday received a communication from Gen: WEYLER dated 14th instant, in which he states that he had received no telegrams nor instructions whatever upon the subject, and could not therefore decide upon the question in the sense I desired.

I consequently sent you the following cablegram:

Habana, October 15th, 1896.
"Assistant Secretary of State. Washington. D. C.
" General Weyler says to-day he has received no
"information from his Government about American
"tobacco here as mentioned in your dispatch of the
"tenth. LEE."

It has been suggested to me as a means for the prompt ~~resolution~~ disposal of this question, inasmuch as the Cuban authorities have not taken any steps in the matter, that our Minister at Madrid should request the Minister of Foreign Affairs to cable to Habana to send at once the "expedientes" of Messrs BAURIEDEL & CO, and others, that they may be resolved at Madrid.

I am, Sir, very respectfully,

Your obedient servant,

Fitzhugh Lee

Consul General

1 8 2.

No.

U. S. CONSULATE GENERAL.

HABANA, October 17th, 1896.

Mr. LEE

TO THE

DEPARTMENT of STATE.

Acknowledging receipt of telegrams from Department.

---o---

No. 182.

U. S. CONSULATE GENERAL.

HABANA, October 17th, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State,

Washington. D. C.

Sir:

I have the honor to acknowledge the receipt of the following cable-grams: both dated October 14th, 1896.

"American Consul General. Habana.

"Referring to your dispatch of October 9th, communicated "with Madrid and just received the following from Minister "TAYLOR : 'Minister for Foreign Affairs promises all "possible for SANGUILY'."ROCKHILL.

LEE, Consul General, Habana.

"CHAQUIELO case within provisions of paragraph 3 and 4 "of Protocol. Insist that prisoner has benefit of their "provisions. Is captain General proceeding under them, "if he is state upon what points you have doubt and "want instructions. Report fully all facts in case. "(signed) ROCKHILL.

I am, sir, very respectfully,

Your obedient servant,

Fitzhugh Lee

Consul General.

No. 183.

ASSISTANT SECRETARY
OCT 20 1896
DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

INDEX BUREAU
RECD.
OCT 20 1896
DEPT. OF STATE

HABANA, October 17th, 1896.

Mr. LEE

TO THE

DEPARTMENT of STATE.

Ack'd Oct. 21/96

Attention Trade
Supply
Acknowledge
R.O

Attempt of police authorities to arrest a transit passenger from on board S.S."VIGILANCIA", bound to Mexico.

---------o---------

One enclosure.

---------o---------

No. 183.

U. S. CONSULATE GENERAL.

HABANA, October 17th,1896.

Hon:- William W.Rockhill,

Assistant Secretary of State,

Washington. D. C.

Sir:-

I have the honor to confirm the following cablegram sent to the Department on the 16th instant:-

"Assistant Secretary of State. Washington. D. C.
"Spanish authorities attempted to arrest and remove
"from American Ward Line steamer "VIGILANCIA" last
"night as she was on the point of sailing for Mexico,
"passenger who had taken passage from New York to Vera
"Cruz. The captain properly refused to deliver him up.
"The matter was submitted to me this morning; have
"approved captain's course and refused consent that
"this transit passenger be so treated. See letter of
"June 5th,1872 from State Department to TORBERT then
"Consul General. LEE."

To the information contained in the foregoing telegram,I have to add that when Captain McINTOSH of the "VIGILANCIA" laid the matter before me, stating that the attempt had been made by the Inspector of Harbor Police, I approved his course and directed him not to allow the passenger to be taken from his ship except by force.

I immediately sent a communication to the Governor general calling his attention to this proceeding on the part of the police authorities,and reminded H.E. of the case that occurred in this harbor in May 25th,1872,and the approval of my Government of the action of Consul General TORBERT in refusing to allow the arrest and extraction from

the S.S."CITY of MEXICO",of BERNABÉ VARONA, a Cuban refugee, who was in the similar condition of a passenger in transit on board of an American vessel.

As the matter had been amicably arranged by the said Inspector withdrawing his complaint,I informed H.E. that it had been so settled and the steamer allowed to proceed on her voyage after 12 hours unnecessary detention.

I therefore transmitted to the Department the following telegram in cypher :

"Assistant Secretary of State. Washington. D. C.
"VIGILANCIA" after 12 hours detention sailed for
"Mexico,her destination,my action prevented arrest
"and removal of transit passenger.- LEE."

At this writing nothing has been received from the Government upon this subject.

I am, Sir, very respectfully,

Your obedient servant,

Fitzhugh Lee

Consul General.

One enclosure:

Consul General LEE to the Governor General, October 16th,1896.

Enclosure No. 1.
With Despatch No. 183
HABANA, October 17, 1896.

Copy. U.S.CONSULATE GENERAL.
HABANA, October 16, 1896.

To the Governor and Captain General of the Island of Cuba.

Excellency:

Captain John Mac Intosh of the American steamer "Vigilancia", reported to me this morning that last night at 11 o'clock, as he was about to sail for Veracruz, Mexico, the Inspector of the Harbor Police boarded his steamer and attempted to arrest and remove from its deck a passenger named Antonio Escalante, who had taken passage at the city of New York for Veracruz, Mexico, and that he had refused to allow this transit passenger to be taken from his steamer until he could inform me, as the consular representative of his Government here; believing that the proceedings were in violation of International law and knowing that in a previous case, similar in all respects to this, the Government of the United States had on June 6th, 1872, approved the action of Mr. Torbert, then Consul General here, in declining to consent to the arrest and removal of Mr. Bernabe Varona, I have this morning advised Captain Mac Intosh in a written communication not to allow this transit passenger to be taken from his steamer, except by force.

Upon your examination of the law and precedents, I think Y.E. will agree that the position I have taken can be properly and legally maintained.

The steamer has already been detained twelve hours.

I am glad to inform Y.E. that the officer who attempted to make this arrest last evening has apparently been convinced that he was acting in violation of law and has declined to

ALL LINEN

proceed further in the matter and that after this long and unnecessary detention the "Vigilancia" will sail for Mexico, her present destination.

I am &c. &c. &c.

(Signed) Fitzhugh Lee.

Consul General.

CRANE'S

1896

ALL LINEN

No. 184. COPIED FOR CONGRESS.

File

ASSISTANT SECRETARY
OCT 20 1896
DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

INDEX BUREAU
REC'D.
OCT 20 1896
DEPT. OF STATE

HABANA, October 17th, 1896.

Mr. LEE

TO THE

DEPARTMENT of STATE.

Case of CHARLES GOVIN.

Governor General WEYLER states that the officer who reported his death was Brig: Gen: LOPEZ OCHOA, and the place where it was written, Jaruco.

---o---

One enclosure.

---o---

1 8 4.

No.

U. S. CONSULATE GENERAL.

HABANA, October 17th, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State,

Washington. D. C.

Sir:-

With further reference to my dispatch No.160, of the 3rd instant, and Instruction No.119, of 8th instant, relative to the case of CHARLES GOVIN, I have the honor to transmit copy-translation of a communication from the Governor General, in which he states the aname of the officer who reported GOVIN'S death, to have been Brig: General EDUARDO LOPEZ OCHOA, and the place where said official report was written, was Jaruco.

I have the honor to be, Sir,

Very respectfully, your obedt servant

Fitzhugh Lee

Consul General.

One enclosure.

Governor General WEYLER to Consul General LEE, Oct: 16, 1896.

Enclosure No. 1

With Despatch No. 184.

HABANA, October 17, 1896.

TRANSLATION.

ARMY OF THE ISLAND OF CUBA, CAPTAINCY GENERAL.

OFFICE of the GENERAL STAFF.

In answer to your communication of the second instant, I have to inform you that the report relative to the death of the citizen of the United States Mr. Charles Govin, which in due season was communicated to you, is dated at Jaruco and signed by the General of Brigade D. Eduardo Lopez Ochoa.

As the report referred to is official to which I give full credit, I regret that the Government of your Nation does not consider it satisfactory, undoubtedly because it takes into consideration private reports which, deprived of an official character, and perhaps furnished indirectly by enemies of Spain, I understand should not be taken into consideration by a friendly nation.

God guard you many years. Habana, Oct. 16, 1896.

(Signed) Valeriano Weyler.

To the Consul General of the United States.

ASSISTANT SECRETARY
OCT 24 1896
DEPARTMENT OF STATE

No. 185.

U. S. CONSULATE GENERAL.

INDEX BUREAU
REC'D.
OCT 24 1896
DEPT. of STATE

HABANA, October 19th, 1896.

Mr Adee
Ackd
Nov. 18/96

Secretary of State.
OCT 24 1896

Mr. LEE

TO THE

DEPARTMENT of STATE.

VIGILANCIA CASE.

Secretary of State
NOV 16 1896
Secretary of State
NOV 16 1896

No.185.

UNITED STATES CONSULATE GENERAL.

HABANA, October 19th, 1896.

Honorable William W.Rockhill,

Assistant Secretary of State,

Washington, D.C.

Sir:

I have the honor to acknowledge the receipt of the Department's telegram of the 17th instant signed by the Honorable Secretary of State in reference to the "Vigilancia case".

I do not think the instructions of Mr.Gresham, former Secretary of State, to Mr.Huntington, to which reference is made in said telegram is exactly applicable to this case.

I have the honor to transmit to you the following facts in "Vigilancia case" in order that you may determine whether I am correct or not. I am informed that Mr.Obregon, the Inspector of Police of this Harbor, received by the mail which arrived here on Wednesday October 14th, by the Tampa steamer a communication from New York, which being translated reads as follows:

"New York, Oct.10, 1896.

"To the Inspector of the Bay of that Island: I inform you that many recruits are escaping for Mexico, through "Havana by the American steamers, due to the fact that no "passport is needed for that Republic. Under date of the "10 October a fugitive named Francisco Escalante will "leave by an American steamer. Said person is a recruit, "tall, white, thin and beardless, represents 18,19 or 20 years of age. Is somewhat smart and may be he has changed his name, and goes in the service of the steamer or pre- "tends to go as such. Your obt.servant, a patriot.

"(Signed) Jose Ochoa").

The Ward steamer "Vigilancia" arrived at this port from New York on the next day, namely, Thursday the 15th, at about 2 p.m. The police officer Obregon did not go at once on board of her for the purpose of making the arrest of the passenger F.Escalante mentioned in the letter from New York, but on the contrary at about half past five that afternoon the Captain of the steamer and the Company's agent at this port was advised by the said police officer that everything was all right and that the steamer could sail whenever ready. The Captain decided to leave for Mexico at 12 o'clock that night not being able to discharge his cargo in time to leave at an earlier hour, a fact which officer Obregon knew.

At about half past eleven that night, just as the steamer was getting ready to depart, this officer again appeared on board, only with the paper, copy of which I send, and proceeded to arrest the passenger Escalante. This passenger purchased a ticket in New York for Veracruz and therefore did not go on board of the "Vigilancia" at this port or at "another port of the same country", as Mr.Gresham puts it; he was, therefore, a transit passenger holding a contract, as it were, with the owners of the American steamer, to land him at his destination.

Captain Mac Intosh of the steamer "Vigilancia" declined to place said passenger into the hands of the police until he could see the American Consul General and by mutual consent it was agreed that nothing further should be done until such interview could be had. The case was reported to me early next morning and I gave to the Captain a note as follows:

"U.S.Consulate General.

"Habana, Oct.16th, 1896.

"Captain John Mac Intosh, Steamer "Vigilancia" in port

"Sir:

"I have duly considered the case you have presented "to me this morning of Mr.Antonio Escalante, who took "passage on your steamer at the city of New York for Vera-

"Cruz

"Cruz,Mexico, and whom the Inspector of Vessels of this "port attempted,without the exhibition of any warrant or "other document,to take from your said vessel and bring "ashore at 11 p.m. yesterday,as you were on the point "of sailing for Mexico.

"I heartily approve your action in refusing to allow "this transit passenger to be removed,until you could lay "the matter before me,in my official capacity of Consul "General of the United States at this port.

"I hereby decline to give my approval of the course "adopted by the officer in question. If the arrest and "removal of this passanger,Mr.Antonio Escalante,is insist- "ed upon,it should be demanded that he be taken from the "deck of the said American steamer "Vigilancia" by force.

"Very respectfully,your obt.servant,

(Signed) Fitzhugh Lee, Consul Gen."

This note the Captain proceeded at once to show to the police officer,who then determined that he would not make said arrest and the steamer after a detention of twelve hours was allowed to proceed on its course.

In 1872 when General A.Torbert was Consul General at Havana a similar case arose with only this difference,then the passenger was in transit for Mexico to New York,while in this case the passenger was en route from New York to Mexico. The correspondence in 1872 between the Captain General and Consul General can be found in a letter dated Havana,May 25th,1872, to the Honorable Charles Hale,Assistant Secretary of State,at Washington.

General Torbert's action refusing his consent that Bernabé Varona should be given up was approved by the Department of State in a letter dated June 5,1872,and signed by Hon.Chas.

Hale
Veale, Assistant Secretary. On the 25th May, 1872, Mr. Hale telegraphed to Consul General Torbert that "a passenger on "board an American vessel in transit from Mexico to the United "States cannot be given up without his own assent, report parti- "culars". The passenger to which this despatch refers to was not delivered up. In Torbert's case the Captain General gave the order for the arrest, in this case the police officer was acting solely on his own volition. Without consultation or knowledge of his superior authority he attempted to comply with the request of Jose Ochoa, of New York.

I should be very glad to get the Department's instructions on questions of this sort, as similar cases to the one mentioned may occur at any time.

I am, Sir, your obt. servant,

Fitzhugh Lee

Consul General.

No. 186.

ASSISTANT SECRETARY
OCT 24 1896
DEPARTMENT OF STATE

U. S. CONSULATE GENERAL.

MAIL BUREAU
RECD.
OCT 24 1896
DEPT. of STATE

HABANA, October 20th, 1896.

Secretary of State.
OCT 24 1896

Mr. LEE

File

TO THE

DEPARTMENT of STATE.

Case of Mr. LOUIS SOMEILLAN.

No. 186.

U. S. CONSULATE GENERAL.

HABANA, October 20th, 1896.

Honorable William W. Rockhill,
Assistant Secretary of State,
Washington, D.C.

Sir:

I have received your instruction number 118 of the 8th instant enclosing copy of a letter from the Hon. Wilkinson Call of the United States Senate, and a communication from Mr. C. Recio of Key West, Florida, asking that I be instructed to name an attorney to defend Mr. Louis Someillan, now in prison in this city. The Dean of the College of Lawyers of Habana has designated Mr. Leopoldo Cancio as the lawyer to conduct Someillan's defense. I have found it impossible to secure the services of a competent lawyer to take charge of this case.

There is a reign of terror here, the scratch of the Captain General's pen is sufficient for all purposes of life or death and his power seems to be absolute. It can, therefore, be readily comprehended that under the conditions existing here, it is difficult to find a lawyer who is willing to defend any one termed "an enemy of Spain".

After the trial is finished the lawyer becomes a marked man, and is surrounded with many perils. The family and friends of Mr. Someillan have experienced the same difficulty in procuring counsel for the reasons above stated.

I propose to watch this case very closely because I believe the charge against Mr. Someillan is false, and I will promptly report to the Department the nature and progress of the pro-

ceedings against him.

I am, Sir, your obedient servant,

Consul General.

Tel to Madrid Nov 1/2.

No. 187.

U. S. CONSULATE GENERAL.

HABANA, October 20th, 1896.

Mr. LEE

TO THE

DEPARTMENT of STATE.

Case of ADOLPHUS TORRES, arrested at Sagua.

Governor General in the absence of the antecedents of the case cannot give any information respecting the causes of the arrest.

---------o---------

One enclosure.

---------o---------

Ans. Oct. 28/96

Com. Rpd.

Ask as tele him to continue his efforts to obtain full particulars to this date & Capt. Gen. 12th Oct. WR

No. 187.

U. S. CONSULATE GENERAL.

HABANA, October 20th, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

Referring to my despatch No. 176, of the 14th instant, relative to the arrest of Mr. ADOLPHUS TORRES at Sagua, in which I reported that I had addressed a communication to the Governor General, asking for the causes of his arrest, protesting against his confinement "incomunicado" beyond 72 hours as prescribed by the ordinary civil jurisdiction, and reminded H.E. that thereby the question again arises whether a state of war suspends such laws in their application to American citizens, I have the honor to transmit the answer of the Governor General to the effect that in the absence of the antecedents of the case, he cannot yet inform me of the reasons of the arrest; and with respect to that part of my communication relative to the benefits that American citizens should enjoy under the Protocol of 1877, he had nothing to add to his previous remarks on that subject.

I am, Sir, very respectfullu,

Your obedient servant,

Fitzhugh Lee

Consul General.

One enclosure:

General WEYLER to Consul General LEE, October 14th, 1896.

Enclosure No.1.

With Despatch No. 1 8 7.

H A B A N A , October 20th,1896.

Copy-translation.

GENERAL GOVERNMENT of the ISLAND of CUBA.

To the Consul General of the United States.

HABANA.

Sir:

In answer to your note of the 12th instant,relative to the American citizen Mr.ADOLFO TORRES,arrested,according to the Consul of your nation,at Sagua la Grande,by order of the military authority of said place,I have to state, that lacking antecedents in the case,it is not possible for me to inform you of the reasons for his arrest,which, as soon as they become known to me, I will transmit to you.

Regarding the second part of your said note,namely, that the present state of war of this Island,should not deprive American citizens of the benefits of the Protocol of 1877, I have nothing to add to the statements contained in my communication of the 20th September last,repeated on the 25th of same month in connection with the case of Mr. TOLON.

God guard you many years.

HABANA, October 14th,1896.

(Signed) VALERIANO WEYLER.

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No. 188.

To Madrid Aug 19, 2

ASSISTANT SECRETARY
OCT 24 1896
DEPARTMENT OF STATE

U. S. CONSULATE GENERAL.

INDEX BUREAU
RECD.
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HABANA, October 21st, 1896.

File

Mr. LEE

TO THE

DEPARTMENT of STATE.

Case of MANUEL FERNANDEZ CHAQUEILO.

Captain General cannot yet state if there are other charges against him than rebellion, as the proceedings are in the stage of indictment (sumario).

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2 enclosures.

---------o---------

No. 1 6 8 .

U. S. CONSULATE GENERAL.

HABANA, October 21st, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

With reference to my previous despatches, numbers 168, 175 and 178 of the 9th and 14th instant, relative to the case of MANUEL FERNANDEZ CHAQUEILO, I have now the honor to transmit copy of my communication to the Captain General, asking that the accused be treated in conformity with the provisions of Articles 20 to 31 of the Law of April 17th, 1821, and allowed the rights and benefits granted by the Protocol of 1877 ; and the Captain General's answer, that he cannot yet inform me if there are other charges against FERNANDEZ, than that of rebellion, as his case is in the process of indictment. (sumario)

It will be observed that the case of this man who was captured last July 9th, and has been ever since imprisoned in the Cabaña fort, after an interval of nearly 4 months, is still in the process of indictment. I mention this as a specimen of the manner in which military judicial proceedings are conducted, when apparently so desired.

I am, Sir, very respectfully,

Your obedient servant,

Fitzhugh Lee

Consul General.

Enclosures.

1. Consul General LEE to the Captain General, Oct: 16, 1896.
2. The Captain General to Consul General LEE, October 19, 1896.

Enclosure No. 1-
With Despatch No. 188-
HABANA, October 21st 1896.

Copy.

U.S.CONSULATE GENERAL.

HABANA, Oct. 1[illegible], 1896.

To the Captain General of the Island of Cuba.

Excellency:

In acknowledging the receipt of your communication of the 10th instant in reference to the case of the American citizen Mr.Manuel Fernandez Chaqueilo, I desire to add if there are other charges brought against him in addition to that of being captured "with arms in hand", I respectfully ask that the accused be allowed to name an attorney or attorneys who should have access to him in suitable time and be furnished at the proper time with a copy of the accusation and list of witnesses for the prosecution, that these witnesses be examined before the accused and his attorney or attorneys, in conformity with the provisions of articles 20 to 31 of the Law of April 17, 1821, and that the presumed criminal shall have the power to compel the attendance of witnesses for the defense or obtain their testimony by means of depositions, and that all the rights be accorded to him which are conferred on an American citizen in his situation by articles 3 and 4 of the Protocol between the United States and Spain of January 12, 1877.

I am, etc. etc.

(Signed) Fitzhugh Lee,

Consul General.

Enclosure No. 2 -
With Despatch No. 188.

H A B A N A , October 21,1896.

TRANSLATION.

ARMY of the ISLAND of CUBA. CAPTAINCY GENERAL.

OFFICE of the STAFF.

The Judge Advocate General reports the following opinion under date of the 14th instant:

"Excellency:- The Consul general of the United States "requests Y.E.to inform him if there are against the "American citizen Mr.Manuel Fernandez Chaqueilo,accused of "the crime of rebellion,other charges,and whereas the "period of summing up (sumario) the case has not termina- "ted,and therefore the Prosecutor has not made the classi- "fication or appreciation of the facts of the case,it is "not possible to inform him if there are other charges "besides that of rebellion against said American citizen. "At the conclusion of the stage of the proceedings re- "ferred to,the provisions of article 4 of the Protocol "of the 12th of January,1877,celebrated with the Nation "he represents will be complied with,as also strictly "with those established in articles 20 to 31 of the Law "of Public Order of the 17th of April,1821. In this "sense should the Consul's note be answered,recommending, "in this connection,the Judge of Instruction to despatch "as soon as possible the case in question".

Having agreed with the opinion of the Judge Advocate I transmit to you the above in answer to your communication of the 16th instant.

God guard you many years. Habana,19 October,1896.

(Signed) Valeriano Weyler.

To the Consul General of the United States.

189

No. 189.

DIPLOMATIC
Secretary of State.
DEC 2 1896
JAN 15 1897
BUREAU.

Aug. Oct. 24/96

ASSISTANT SECRETARY
OCT 24 1896
DEPARTMENT OF STATE.

MAIL BUREAU
RECD.
OCT 24 1896
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, October 21st, 1896.

Mr. LEE

TO THE DEPARTMENT of STATE.

Transmitting protest and claim for indemnity of Messrs NEUHAUS NEUMANN & CO, as representatives of Messrs S.HERN-SHEIM BROS & CO, Limited, of New Orleans, against the Spanish Government for prohibition to shipment of tobacco.

---------o---------

One enclosure.

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SOLICITOR'S
OCT 28 1896

Ack. and say that the claimants should submit evidence of the existence of the alleged contracts for the purchase of the tobacco. If the contracts were not in writing affidavits of the purchaser Fernandez, and of the tobacco growers from whom it is claimed he purchased, should be obtained and forwarded. It would be well for

these affiants to state in their affidavits also the fact as to the customary manner of making such contracts.

No.1 8 9 .-

U. S. CONSULATE GENERAL.

HABANA, October 21st,1896.

Hon:William W.Rockhill,

Assistant Secretary of State.

Washington. D. C

Sir:-

I have the honor to transmit herewith,copy of a statement embodying a protest and claim for indemnity against the Spanish Government made before me by Mr.FRED: NEUMANN,one of the firm of Messrs NEUHAUS,NEUMANN & CO,of this city,as the representatives of the American firm of Messrs S.HERNSHEIM BROS & CO,of New Orleans, for the prohibition of the Government to allow the exportation of 1,200 bales of tobacco,which it is alleged were purchased and contracted for said firm prior to the promulgation of General WEYLER'S decree of 16th May last,which prohibited after the expiration of ten days from its date,the export of tobacco grown in the provinces of Habana and Pinar del Rio. I am, Sir,

Very respectfully

Your obedient servant,

Consul General.

One enclosure:

Copy of protest referred to.

Enclosure No.1.

With Despatch No. 189. (189)

H A B A N A , October 21st,1896.

Copy.

U.S.CONSULATE GENERAL.

H A B A N A , October 16th,1896.

BE IT KNOWN, that on this 16th day of October,1896, before me, the undersigned, Consul General of the United States of America at HABANA, personally appeared Mr.FEDERICO NEUMANN,of the firm of Messrs NEUHAUS,NEUMANN & CO, of this city,and duly sworn,declared and stated as follows:

That his said firm,which is engaged in business in this city,at No.18 Obrapia St. as general commission merchants,are representatives in this place of Messrs S.HERNSHEIM BROS & CO, Limited,of New Orleans,La since the year 1891,and since that date have regularly made in this Island all the purchases of leaf tobacco intended for use in the factory established in New Orleans by said firm,and that they have regularly purchased large amounts both in the Habana and Pinar del Rio Provinces. In this latter province where the tobacco known as "partidos"is grown,they made every year a selection for said firm,for which ~~is~~ they had made contracts with Don FIDEL FERNANDEZ of HABANA,for the purchase of tobacco in "matules"or bundles,in the vicinity of the towns of Gabriel,Guira de Melena and Alquizar,at which last named town they made the selection and purchase for the last year's crop,and would have made it for this unless prevented by the actual circumstances.

That Don FIDEL FERNANDEZ in turn made contracts,bargains or engagements with the "vegueros" or tobacco growers of said places for the purchase of their respective crops of tobacco in bunch or bundles,or"matules" as it is generally known,although said contracts,bargains or engagements were not ratified and confirmed by any written document,

such not being the practice observed, it being the custom in this Island to make and keep all such contracts verbally.

That his said firm received a telegram from Messrs. S.HERNSHEIM & BROS & CO, Limited, of New Orleans, on the 10th of May of this year, encharging them to to purchase at least 60,000 bundles, (Ematules") of said tobacco.

That on the 17th of the same month his said firm advised the New Orleans parties, of the Decree of the Governor General of the Island, prohibiting the exportation of leaf tobacco grown in the provinces of Habana and Pinar del Rio, and in reply his firm received orders, also by cable, to suspend the purchases, which orders were at once communicated to their buyer, Don FIDEL FERNANDEZ.

That said FERNANDEZ immediately proceeded to the country in order to finish receiving the tobacco already engaged and bargained for, and in great part already paid for in advance, and on account of delivery, from the "vegueros" or tobacco planters, and transport it to Habana.

That the total number of matules they received was 61,574, according to an account made and remitted to Messrs. S.HERNSHIM BROS & CO, which this appearer's firm paid up for and drew bills for account of said parties to reimburse their outlay.

That they were unable to ship the said 61,574 matules within the period of ten days fixed by the Governor General's order or decree, for the reason that the tobacco was in its raw condition, exposed to loss and destruction and totally unprepared and unfit for shipment.

That the operation of sorting, packing and baling the said tobacco was commenced by orders of his said firm on the 25th May, and it lasted until about the 13th October, and resulted in about 1200 [redacted] (twelve hundred) bales.

That on the 18th of September last, they had ready for shipment about 933 bales which they wished to ship, as in

its then condition the tobacco was diminishing in value daily and causing considerable damage and loss to the interests of the firm they represented.

That on said date, September 18th, this appearer's firm addressed a petition to the Governor General of the Island, reciting the foregoing facts, and offering in proof a full and unreserved examination of all their commercial books, of correspondence, account, telegrams, copies, etc, etc, and also cited in support of their petition the telegram which had come to their knowledge, received by the Department of State from the U.S.Minister at Madrid, and communicated to the U.S.Consul General at Habana, to the effect that: "all contracts for leaf tobacco entered into before "publication of the order prohibiting its exportation "will be respected, especially those entered into with "American citizens."

That under date of the 12th October, his firm received on the 14th October a communication from the Intendant General of Finance of this Island, to whom their petition had been referred, denying the same and refusing permission to ship the said estimated amount of twelve hundred bales of tobacco, alleging that there existed no contracts, and only purchases by word of mouth.

WHEREFORE this appearer, in the name of his firm of NEUHAUS, NEUMANN x CO, of this city, and acting as the duly appointed and recognized representatives of the American firm of Messrs S.HERNSHIM BROS & CO, Limited of the city of New Orleans, La, doth solemnly and truly protest against the action of the Spanish Government in the premises, and against the infraction of Art: VII of the Treaty between the United States and Spain of 1795, whereby the property

belonging to American citizens has suffered detention or embargo, and that the said firm already has and may hereafter suffer considerable loss and damages and prejudice to their interests by reason thereof, and this appearer therefore considers said firm entitled to claim for the same an indemnity from the Spanish Government to at least the value of the said 1,200 bales of tobacco, which he estimates at TWO HUNDRED THOUSAND DOLLARS, U.S. money, and interest thereon till time of payment, and doth hereby make formal demand and claim for the said amount of indemnity, and such other relief as may be accorded in the premises.

(Signed) Fred? NEUMANN. of the firm of
NEUHAUS, NEUMANN & CO, representatives of the
firm of S. HERNSHEIM BROS & CO, Limited, of New Orleans

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U.S. CONSULATE GENERAL.
HABANA, October 16th, 1896.

ON THIS day, before me, the undersigned, Consul General of the United States of America at HABANA, personally appeared Mr. FREDERICK NEUMANN, one of the firm of Messrs NEUHAUS, NEUMANN & CO, of this city, and declared that his said firm are the representatives in this city of the American firm of S. HERNSHEIM BROS & CO, Limited, of New Orleans, and as such he subscribed and declared unto the foregoing document which is of the nature of a protest and a claim for indemnity against the Spanish Government, and that the facts therein set forth are true.--

(SEAL.) WITNESS my hand and the seal of this Consulate General at HABANA, this 16th October, 1896.

(Signed) FITZHUGH LEE.
Consul General.

------o------

A true copy:

Fitzhugh Lee

Consul General.

Ona-Oct. 28.

No. 90

U. S. CONSULATE GENERAL.

HABANA, October 21st, 1896.

Mr. LEE

TO THE

DEPARTMENT of STATE.

Case of ONA MELTON, one of the crew of the "COMPETITOR"

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2 enclosures.

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No. 190..

U. S. CONSULATE GENERAL.

HABANA, October 21,1896.

Honorable William W.Rockhill,
Assistant Secretary of State,
Washington,D.C.

Sir:

I have the honor to transmit herewith copies of two letters I have received from Ona Melton,one of the prisoners of the "Competitor";I have replied by quoting for his information and for the information of the officers taking the preliminary depositions at "La Cabana",articles 171 and 172 of the regulations prescribed for the use of the Consular service of the United States.

It is held there "that the circumstance that the vessel "is American is evidence that the seamen on board are such and "that in every regularly documented merchant vessel the crew "will find their protection in the flag that covers it".

I am,Sir,your obedient servant,

Fitzhugh Lee

Consul General.

2 Enclosures:

No.1. Mr.Melton to Mr.Lee,Oct.18,1896.

No.2. Mr.Melton to Mr.Lee,Oct.20,1896.

Copy. Evalvaure no. 1
With Despatch no. 190.
Havana. Oct 21, 1896.

Ft. Cabañas, Calaboza, 41.

Havana, Oct. 18th.1896

Gen. Fitzhugh Lee,

Consul General of Cuba.

Dear Sir:

Yesterday I was taken to the "Cuarto de Banderas" (Guard Room) te make a preliminary deposition, preparatory for a "Consejo de Guerra Ordinario"(Ordinary Court Martial) to "Ver y Faller"(Try) the case aginst the men of the "Competitor", charged with the crimes of "Pirateria y Rebelion"(Piracy and Rebellion).

I had hardly expected that we were to be tried again under the accusation of Piracy and Rebellion. From an American stand point, the charge of Piracy seems absurd, but according to the interpretation that w was placed on certain parts of the "Dictionario de Porto Rico y Cuba" (Code of Crimnal Procedure existing in Cuba and Porto Rico) at our recent trial by a "Consejo de Guerra Sumarisimo" (Summerary Court Martial) we might come under the classification of Pirates.

In my declaration they insisted on my stating that I would furnish proof of my American citizenship. They seemed to doubt my citizen -ship because I talked Spanish somewhat fluently. They then wanted to know what kind of proof I could furnish, I had never thought of my citiz- -enship being brought into question, and I was somewhat perplexed, I replied that I did not know, but that I would ask your advice.

I do not know what I ought to do, they said I ought to have a certificate of my birth, or baptism, such a request seems to me absurd it would require months of time to get either, if, which is very unlikely either is still in existance.

I was born at Vinland Kans.; in fact I do not know if births are registered in Kansas, although I suppose they are.

I registered and voted in the Arkansas State Election two years ago at my home in Aurora, Arkansas. If it is postively necessary, I can write to my father and get a deposition made to show my citizenship, but it will require at the very least time possible, 20 days, and perhapps 30, to write and receive returns.

I was also asked concerning my papers as a correspondent of the "Times Union" of Jacksonville Fla. At the other trial my credentials were taken from me and never returned and apparrently have been made away with

Gildea read them and I think Laborde also. If necessary, William S. Delaney of Key West, Fla. can produce evidence concerning my credentials.

The Naval Officer who took the deposition seemed very badly informed, he asked: "Do you see Consul General Lee every day?" Certainly not, said I, he seemed supprised, and said: "How often do you see him?"

I do not think that the deposition of any of the "Competitor" men were taken, exceptof Capt. Laborde and I. I shall await your advice.

Yours most respectfully,

(Signed) Ona Melton.

Enclosure No.2.

With Despatch No.190.

H A B A N A ,October 21,1896.

Copy. Fort Cabana. Calabozo (Cell) 41.

October 20,1896.

Consul General Lee.

Dear Sir:

I have not yet received an answer to my letter of the 18th instant ,but write this to inform you of the farther proceedings in our case.

Yesterday I was again taken to the "Cuarto de Banderas" to make declaration. I was again asked what proofs I could produce to show that I was an American citizen. I replied that I did not know what would be considered as sufficient proof,but I explained as I explained to you in my letter of the 18th inst that to constitute positive proof it would probably he necessary to have a deposition made before a Justice of the Peace at my home,but that I considered that after the other "Consejo de Guerra",the U.S.Government and the Spanish Government and Courts of Madrid had accepted me as an American citizen,that it was now late to raise such a question. Then the "Juez Instructor" asked if you would vouch for my citizenship. I replied that I didi not know. Then he asked me if Consul Lee knew me. Again I hardly knew what to answer and replied that I did not know that you had seen me one time. He then asked if you had any documents shewing that I was an American citizen. At first I replied "No",but on second thought I said that you perhaps had documents from Secretary Olney recognizing me as an American citizen. He asked if I had any protest to make and I replied that I protested against being tried without being given an opportunity to consult with my Consul and that I did not consider that a trial held inside of fort Cabana would be legal because no representative of the U.S.Consulate was allowed inside of the fort,and that such representative ought to be present at the trial. I said that I protested against being

tried by Consejo de Guerra Ordinario (Ordinary Court Martial) because according to the treaties with the United States an Ame rican citizen should be tried in the civil courts. My protest was entered and the Judge Instructor announced that thes claims would be investigated. As I passed Captain Laborde's cell,he called out 'I protested",so I suppose that he entered a protest similar to mine. It was stated that the depositions of the other ""Competitor" prisoners would be taken to-day. It is said that if we are tried by the civil court we will have to wait at least 18 months for our return on the docket. I shall anxiously await your instructions.

Yours respectfully,

(Signed) Ona Melton.

TELEGRAM RECEIVED. Cipher

INDEX BUREAU
REC'D.
OCT 23 1896
DEPT. OF STATE

ASSISTANT SECRETARY
OCT 23 1896
DEPARTMENT OF STATE.

From Havana

October 23, 1896.

Received 11:45 A.M.

Assistant Secretary
of State
Washington, D.C.

No relief to tobacco as promised in the despatch tenth instant. Have you further information.

Lee.

No. 191.

ASSISTANT SECRETARY
OCT 27 1896
DEPARTMENT OF STATE

U. S. CONSULATE GENERAL.

INDEX BUREAU
REC'D.
OCT 27 1896
DEPT. OF STATE

HABANA, October 24th, 1896

Ack'd Oct. 27/96

Mr. LEE

TO THE

DEPARTMENT of STATE.

Secretary of State.
OCT 27 1896

Forwarding copy and translation of the Governor General's decree or proclamation, of the 21st instant.

2 enclosures.

No. 191.

U. S. CONSULATE GENERAL.

HABANA, October 24th, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State,

Washington. D. C.

Sir:

I have the honor to transmit herewith copy and translation of a decree or proclamation of the Governor General of the 21st instant, published in yesterday's "GAZETTE", to be applied solely to the Province of Pinar del Rio.

I am, Sir,

Very respectfully

your obedient servant,

Consul General.

Enclosures:

Decree and translation of General WEYLER, October 21, 1896.

Enclosure No.1.

With Despatch No.1 9 1.

H A B A N A , October 24,1896.

Translation.

PROCLAMATION.

Don VALERIANO WEYLER y NICOLAU,Marquis of TENERIFE, GOVERNOR GENERAL CAPTAIN GENERAL of this ISLAND,and GENERAL in Chief of its ARMY, etc, etc, etc

I ORDER and COMMAND :-

1st. All the inhabitants of the country or outside of the line of fortifications of the towns,shall within the period of eight days reconcentrate themselves in the towns occupied by the troops. Any individual who after the expiration of this period is found in the uninhabited parts will be considered a rebel and tried as such.

2nd.-The extraction of provisions from the towns and their transportation from one town to another by land or water without permission of the military authority of the point of departure,is absolutely prohibited. The infringers will be tried and punished as abettors of the rebellion.

3rd.- The owners of beeves should transport them to the towns or their vicinity,to which end they will be given proper protection.

4th.- At the expiration of the period of eight days which in each municipal district shall be counted from the publication of this proclamation in the head town of same,all insurgents who present themselves shall be placed at my disposal for the purpose of fixing them the place where they shall reside,serving them as a recommendation if they furnish news of the enemy which can be made use of,if the presentation is made with fire arms,and more specially if it be collective.

5th.- The provisions of this proclamation are only applicable to the province of Pinar del Rio.

HABANA, October 21st,1896.

VALERIANO WEYLER.

-----o-----

Enclosure No.2.

With Despatch No. 191.

HABANA, October 24th,1896

GACETA DE LA HABANA

PARTE OFICIAL

ADMINISTRACION GENERAL

GOBIERNO GENERAL DE LA ISLA DE CUBA

BANDO

DON VALERIANO WEYLER Y NICOLAU, Marqués de Tenerife, Gobernador General, Capitán General de esta isla y General en Jefe de su Ejército, etc., etc.

ORDENO Y MANDO:

1º Todos los habitantes en los campos ó fuera de la línea de fortificación de los poblados, se reconcentrarán en el término de ocho días, en los pueblos ocupados por las tropas. Será considerado rebelde y juzgado como tal, todo individuo que transcurrido ese plazo se encuentre en despoblado.

2º Queda prohibido en absoluto la extracción de víveres de los poblados, y la conducción de uno á otro por mar ó tierra sin permiso de la autoridad militar del punto de partida. A los infractores se les juzgará y penará como auxiliares de los rebeldes.

3º Los dueños de reses deberán conducirlas á los pueblos ó sus inmediaciones, para lo cual se les dará la protección conveniente.

4º Transcurrido el plazo de ocho días que en cada término municipal se contarán desde la publicación de este Bando en la cabecera del mismo, todos los insurrectos que se presenten, serán puestos á mi disposición para fijarles el punto en que hayan de residir, sirviéndoles de recomendación el que faciliten noticias del enemigo que se puedan aprovechar, que la presentación se haga con armas de fuego y más especial si ésta fuera colectiva.

5º Las disposiciones de este Bando son aplicables á la provincia de Pinar del Río.

Habana, 21 de Octubre de 1896.

Valeriano Weyler.

File

No. 192.

U. S. CONSULATE GENERAL.

HABANA, October 24th, 1896.

Enclosure #1 to U.S. Consul Gen. Habana Nov. 2/96

Mr. LEE

File

TO THE

DEPARTMENT of STATE.

Prohibition to ship tobacco.

Acknowledging and confirming telegrams.

Interview with General WEYLER, who states that he will send all the "expedientes" or cases to Colonial Ministry Madrid.

----------o----------

No. 1 9 2 .

U. S. CONSULATE GENERAL.

HABANA, October 24th,1896.

Hon :- William W.Rockhill,

Assistant Secretary of State,

Washington. D. C.

Sir:-

I have the honor to acknowledge the receipt of the following cable-gram :-

Washington. D. C.Oct:22,1896.

"Stop proceedings in PERLMAN x CO's tobacco case.

(Signed) ROCKHILL.

I have also to confirm my cablegram to the Department of yesterday morning,as follows :-

"Assistant Secretary of State.Washington. D. C.

" No relief to tobacco as promised in the dispatch "tenth instant. Have you further information?-- LEE".

Yesterday at noon, I called on the Governor General, who informed me that he had received telegrams from the Colonial Minister,to obey strictly the letter and spirit of his decree; that the several petitions presented to him for shipment of tobacco alleged to have been purchased on contract by American citizens,prior to his decree,had all been referred to the Intendancy of Finance,and after examination been refused,and that he had been instructed by the Colonial

Minister to send all the "expedientes" or cases, to Madrid, for revision and to serve to justify the rejection of any claims that may be presented.

I have also to acknowledge the receipt of the following cablegram yesterday evening:-

" Have no further information as to tobacco, from
" Madrid; expected momentarily. (signed) OLNEY. -"

I am, Sir,

Very respectfully,

Your obedient servant,

Consul General.

No. 193. DIPLOMATIC

OCT 27 1896

BUREAU. U.S. CONSULATE GENERAL.

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HABANA, October 24th, 1896.

Mr. LEE

TO THE

DEPARTMENT of STATE.

Fines on steamers of the New York and Cuba Mail S.S.Co.

Further claims by customs authorities.

---o---

Enclosure.

---o---

ASSISTANT SECRETARY OCT 27 1896 DEPARTMENT OF STATE

Ans. Oct 29/96 two.

Mr Taylor,

To Madrid.

Com Prod.

Ask action

No. 1 9 3.

U. S. CONSULATE GENERAL.

HABANA, October 24th, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:-

Referring to previous correspondence, despatches Nos: 109, September 2 and 172, October 10th, and the Department's Instruction No. 82, of September 10th, relative to fines on the steamers of the New York and Cuba Mail S.S.Co,

I have the honor to transmit copy of a letter, dated 22nd, instant, with enclosures, received from Messrs HIDALGO x CO, the agents here of said Line, from which it appears that further claims are made upon them by the customs authorities.

I am, Sir,

Very respectfully,

Your obedient servant,

Fitzhugh Lee

Consul General.

Enclosure:

Hidalgo x Co to Consul General LEE, Oct : 22, 1896.

Enclosure No. 1
With Despatch No. 193.

HABANA,,October 24,1896.

Copy.

Habana,October 22.1896.

Fitzhugh Lee,Esq.,
U.S.Consul General,Habana.

Sir:-

In behalf of Messrs.James E.Ward & Co.,New York,Agents for the Cuba Mail S.S.Line,we beg leave to hand you herewith copy of a communication from the Collector of Customs of this port,dated the 28th.of September last,which is in connection with the case of Fines imposed and pretended to be collected from Steamers of the Line,referred to in the letter,which we had the honor of previously addressing you,on August 31.a.c.

The said communication conveys an order for us,as consignees of the steamers here,to deposit money,equivalent to the Fines in question,with either "The Spanish Bank" or the Administration of Customs.

On submitting the case for your knowledge,we beg to mention that under the instructions we hold from the Managers of the Line,and according with practise on previous similar occasions,we have abstained from complying with the exaction; neither have we since been called upon again to that effect on the part of the authorities.

We beg further to submit the copy herewith of another communication from the Collector of Customs,dated the 20th. inst.,and to hand yesterday,notifying us of a resolution of the Intendency to the effect,that we should pay within three days from notice $1128.59,representing executioners' fees on proceedings,which were enacted some time back for collection of certain Fines on Steamers,regarding which no detail is given.

Inasmuch as through the intervention of your good self

and predecessors in office, suspension of proceedings has been obtained - pending diplomatic arrangements - regarding all of the pretended collections of fines, as imposed to date, we believe to be right in understanding, that collection of fees or other accessories deriving from the Fines in suspension, could not by any means be made the object of discrimination from the principal, or indeed of proceedings to collect separately and independently.

Requesting that you will reserve to the interests of the Cuba Mail S.S.Co. your kind attention, as usual for prevention of prejudice to same, and asking your directions for conduct,

We beg to remain, Sir,

Your obedient servants,

(Signed) Hidalgo & Co.

ALL RIGHTS RESERVED

CRANE'S

Enclosure No. 1

With Despatch No. 193

H A B A N A , October 24,1896.

TRANSLATION/

CUSTOM HOUSE OF HABANA.

The Intendancy General of Finance under date of the 25th instant reports to the Custom house as follows:

"Excellency:Under this date I report to His Excellency the Governor General as follows: Excellency: In view of Your Excellency's communication of the 7th instant transmitting to me the one addressed by the Consul General of the United States to Your Excellency requesting the suspension of the attachment proceedings initiated for the collection of fines imposed to the masters of the American steamers of the "Ward" line, of New York, of which Messrs.Hidalgo and Company are consignees,pending diplomatic negotiations at Madrid for the condonation of the said fines,I have the honor to inform Y.E,in compliance with the directions contained in your said communication, that to-day, and in consequence,also,of an application of the said firm dated the 1st instant, order is given to the Custom house of this port,in attention to the resolutions decreed by the Superior Authority in connection with previous proceedings of the above mentioned firm initiated for the suspension of similar fines to the present,to adopt in this case the said suspension, pending the resolutions of the diplomatic negotiations,provided the fines in question are duly guaranteed to the satisfaction of the Collector of said Custom house. "

I transmit to you the above for your knowledge and corresponding effects,having also to inform you that for the compliance of these instructions you must deposit in the Spanish Bank or in the Coffers of this Custom house the total amount of the said fines within three days, in the understanding

that if this is not done the Custom house will proceed to act as it may deem proper .

God guard you many years.Habana,Sept.28,1896.

(Signed) Y.Valdes.

Messrs.Hidalgo and Company.

Copia.

Administracion de la Aduana
de la Habana.

Por la Intendencia Gral.de Hacienda con fecha 25 del actual se dice a esta Aduana lo siguiente:

"Exmo.Sor.-Con esta fecha digo al Exmo.Sor. Gobernador Gral.lo que sigue: Exmo. En vista de la atenta comunicacion de V.E.de 7 del actual trasladandome la que le ha dirigido el Sr.Consul de los E.Unidos en suplica de que suspendan los procedimientos de apremios iniciados para el cobro de multas impuestas a los capitanes de los vapores americanos de la linea"Ward"de New York de que son consignatarios los Sres.Hidalgo y Ca.interin se resuelvan las gestiones diplomaticas que estan pendientes para lograr la condonacion de las expresadas multas en Madrid,tengo el honor de manifestar a V.E.en cumplimiento de lo que se sirve prevenirme en su citada comunicacion que con esta fecha y a consecuencia tambien de instancias de los referidos Sres.de 1ro.del actual,sobre este particular se ordena a la Aduana de este puerto que en atencion a resoluciones Superiores dictadas en expedientes anteriores de los mismos interesados para que se dejen en suspenso los procedimientos iniciados para el cobro de iguales penalidades a las presentes,se adopte en este caso la expresada suspension hasta la resolucion de las citadas reclamaciones diplomaticas siempre que las multas en cuestion sean garantizadas debidamente a satisfaccion del Sor.Admor.de la aludida Aduana.

Lo que traslado a Vds.para su conocimiento y efectos,debiendo manifestarles que para el cumplimiento de lo dispuesto habran Vds.de constituir en deposito en el Banco Espanol o en la Caja de esta Admon.el total importe de las referidas multas en el termino de tercero dia en la inteligencia de que si no lo efectuan se procedera a lo que corresponda.

Dios guarde a Vds.muchos anos,
Habana 23 de Septiembre de 1896.
firmado Y.Valdes.

Sres.Hidalgo y Cia.

Enclosure No. 2

With Despatch No. 193

H A B A N A , October 24 1896.

TRANSLATION.

CUSTOM HOUSE of HABANA.

In the proceedings initiated by the tax collector's deputy Mr.Bermidio Gonzalez claiming the amount of the fees due in the proceedings which this Custom house instituted for the collection of sundry fines to the masters of the steamers of your consignment, the Intendancy General of Finance has resolved on the 18th September last and 16th instant, to acknowledge the right of said tax collector's deputy to collect his fees, and in virtue thereof has directed that through this Custom house be applied to the case the provisions established in the ruling Instruction referring to debtors to the Revenue.

In compliance with both resolutions, and whereas according to the liquidation made to that end and approved by the Superior Authority the fees referred to amount to ONE THOUSAND ONE HUNDRED AND TWENTY EIGHT DOLLARS and FIFTY NINE CENTS; you will please proceed to pay them within three days, in the understanding that if this is not done, this Custom house will be compelled to act as it may deem proper.

God guard you many years. Habana October 20,1896.

(Signed) Y.Valdes.

Messrs.Hidalgo and Company.

Copia.

Administracion de la Aduana
de la Habana.

En el expediente promovido por el comisionado de apremios Don Dermidio Gonzalez reclamando el importe de las dietas devengadas en el procedimiento que por esta Aduana se les seguia en cobro de varias multas a Capitanes de los vapores de que son Vds. consignatarios, la Intendencia Gral.de Hacienda en acuerdos fechas 18 de Septbre.ultimo y 16 del mes actual, se haservido reconocer el derecho que a dicho comisionado asiste para el percibo de sus honorarios y en su vártud disponer que por esta Admon.se apliquan al caso las prevenciones establecidas en la Instruccion vigente contra deudores a la Hacienda.

En cumplimiento de ambas resoluciones y toda vez que segun liquidacion al efecto formulada y aprobada por la Superioridad las dietas que se han ocasionado ascienden a UN MIL CIENTO VEINTE Y OCHO PESOS CINCUENTA Y NUEVE CENTAVOS; sirvanse Vds.dentro del plazo de tercero dia proceder a su abono, en la inteligencia que de no efectuarlo, esta Admon.se vera en el caso de adoptar la medida que corresponda.

Dios guarde a Vds.muchos anos
Habana Octubre 20 de 1896,

firmado: Y.Valdes.

Sres.
Hidalgo y Cia.

Sobre devuelto.

Ack & file
Cert of
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No. 194.

U. S. CONSULATE GENERAL.

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HABANA, October 26th 1896.

Secretary of State.
NOV 6 1896

Mr. LEE

TO THE

DEPARTMENT of STATE.

Case of Tobacco Claims.

Result of intervention not expected to be favorable.

All the cases or "expedientes" to be sent to Madrid.

One enclosure.

No. 194.

U. S. CONSULATE GENERAL.

HABANA, October 26th,1896.

Honorable William W.Rockhill,
Assistant Secretary of State,
Washington,D.C.

Sir:

I have the honor to acknowledge the receipt of your cable of October 24th, citing the despatch from the United States Minister at Madrid in reference to to the exportation of the American tobacco.

In this connection I beg to enclose a communication of the 26th instant from Governor General Weyler on the subject.

It will be observed that he confirms what he said to me in a personal interview,which has already been reported.

The present status,therefore,seems to be, that the claims of the American owners,who contend that their tobacco was contracted for before the publication of the prohibitory decree of last May,have been passed upon and disapproved by the Governor General,and have been forwarded to the Madrid Government for review and revision.

I do not anticipate that a result will be reached favorable to the American owners,because his protest and report will accompany the transmission of the "expediente",and it will be of such a nature as to make it difficult for his Government to reverse it.

I am,Sir,your obt.servant,

Fitzhugh Lee

Consul General.

1 Enclosure: Governor General to Mr.Lee,Oct.26,1896.

Enclosure No.1.

With Despatch No. 1 9 4.

H A B A N A , October 26th,1896.

Copy-translation.

GENERAL GOVERNMENT of the

Island of Cuba.

To the Consul General of the United States,

Habana.

Sir:

In addition to my note of the 14th instant,in which I communicated to you that I had not received from my Government any instruction respecting the claims made by sundry American citizens to place no obstacle to the shipment of their tobacco,I have the honor to inform you that His Excellency the Colonial Minister in a telegram dated the 21st instant,advices me to send the claims of that nature presented by Mr.BRUNO DIAZ, WARSHAUER,SEIDENBERG,and Mr. FEDERICO BAURIEDEL,to be duly proceeded with,specifying in each case the derivation or source of those claims that may be formulated; to which I reply,by cable of this date, that the claims of American citizens regarding exportation of tobacco,have been proceeded with and decided upon separately,and that not having proven the existence of contracts previous to the Decree,they have been rejected in conformity with the opinion of the Solicitor of this Government.

God guard you many years.

HABANA, October 24,1896.

(Signed) VALERIANO WEYLER.

ASSISTANT SECRETARY
NOV 2 1896
DEPARTMENT OF STATE.

Ackd Nov. 3/96

No. ~~195.~~

U. S. CONSULATE GENERAL.

October 26th, 1896.

HABANA,

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The Secretary
Ack'd
R. O.

Mr. LEE

TO THE

DEPARTMENT of STATE.

Secretary of State
NOV 2 1896

Enclosing an article from LA DISCUSION.

1 Enclosure.

No. 195.

U. S. CONSULATE GENERAL.

HABANA, October 26th, 1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

Sir:

I have the honor to transmit a translation of an article which appeared in "LA DISCUSION", a paper published in this city, which is not the organ of any particular clique, but is rather independent in its expression; in consequence of the enclosed article the paper has been suppressed by the authorities here, and the editor has concealed himself to prevent arrest and imprisonment.

The article in question seems moderate in tone and I fail to discover why it should be regarded with such extreme aversion by the Spanish ruler here.

I send it simply as a specimen of the manner matters are conducted under the sway of an absolute monarch.

I am, Sir, your obt. servant,

Fitzhugh Lee

Consul General.

1 Enclosure: Article referred to.

Enclosure No. 1

With Despatch No. 195

HABANA, October 26, 1896.

Translation.

From "La Discusion", Habana, October 22.1896

More Hot Stuff!

The "Provisional Guardianship."

Yesterday we informed our readers of some of the rare things published by the "New York Herald" in regard to the Cuban question. The colleague has also published an article, in which it proposes that, for the settlement of this question, in a peaceful manner, Mexico and the United States come to an understanding. The two Republics will establish here a "provisional guardianship".

This was proposed by the "Herald" on the 17th. On the 18th, it inserted two interesting reports; one from Mr. Mariscal, Minister of Foreign Affairs of Mexico; and the other from Mr. Romero, the Mexican Minister at Washington.

The correspondent of that New York paper telegraphs as follows:-

"Mr. Mariscal has declared that President Diaz, although "he appreciates the efforts of the Herald, will say nothing for "the present, for publication, in regard to the affairs of Cuba. "According to Mr. Mariscal, if the Presidents of the United States "and Mexico follow the suggestion of the "Herald", they would act "in accordance with the regular usages of diplomacy. Mr. Mariscal added that any anticipated publicity would be contrary to "the end desired."

This language is very cautious and discreet. Likewise that of Mr. Romero; but with a sympathetic tone towards us. (Spain)

Mr. Romero states:-

"Without instructions from my Government it would not well,

"neither would I do it, to venture any opinion in regard to the "matter. The Mexican Government is a sincere friend of Spain "and sympathizes with her present efforts, caused by the Cuban "insurrection. To judge by appearances, it is not probable that "the disturbance will be soon terminated. If the good offices "of the friendly nations could contribute to bring about a "peaceful and satisfactory solution for all parties concerned, "I think that Mexico would gladly join any movement for the at- "tainment of that result."

There is, as it will be seen, great difference between the perspectives presented by Mr. Romero in his able answer and the proposition made by the Herald.

Mr. Romero speaks of a solution "satisfactory for all par- "ties concerned", and proclaims that Mexico is a friend of Spain.

The Herald proposes a "Provisional Guardianship" of the United States and Mexico, over Cuba; that is to say, the elimination of Spain.

The indication of Mr. Romero will or will not be accepted by the Madrid Government. It is to be remembered that similar ones were made by the President of Venezuela, in his last Message. Our Government (Spain) will probably consider that both are unnecessary; but will see nothing aggressive in them. The proposition of the Herald - to which our New York colleague associates, unskilfully, the example of Turkey - has for Spain the nature of an attempt at dispoilment.

The "Provisional Guardianship" asked by the "Herald," implies that Cuba lacks the indispensible conditions necessary to her independence. Then, why not continue to be Spanish? If she requires a guardian, her legitimate one is that of Spain. It would be logical that Mexico should employ her good offices in obtaining form the Spanish Government, as soon as possible, the radical reforms promised and in getting the revolutionists to return to law and order. We will say, repeating an expression of Mr. Romero, that this would be "satisfactory for all "parties concerned", and not the proposition of the "Herald," which

is dangereus,as is all that comes from the intervention of the United States in the Cuban Question.

The American Republics of Spanish origin should work against that intervention. If they,from the commencement of the actual revolutionary movement,should have united for the purpose of giving peace to Cuba,under the sovereignty of Spain, it is more than prebable that their action would have met with a fruitful issue.

A collective and camciliatory action on the part of the Spanish American people,would not only not have displeased Spain but it would have been welcomed with rejoicing,,because thereby,checkmate would have been given to the United States.

----------o---------

MAS COSAS

LA "TUTELA PROVISIONAL"

LOS PUEBLOS HISPANO-AMERICANOS

Ayer dimos á conocer algunas de las cosas raras publicadas por el *Herald*, de Nueva York, acerca de la cuestión de Cuba.

También ha publicado el colega un artículo, en el que propone que, para arreglar esta cuestión, de una manera pacífica, se entiendan Méjico y los Estados Unidos. Las dos repúblicas establecerán aquí una "tutela provisional."

Esto lo propuso el *Herald* el día 17. El día 18 insertó dos manifestaciones interesantes; una, del señor Mariscal, ministro de Negocios Extranjeros de Méjico; otra del señor Romero, ministro de Méjico en Washington.

Véase lo que telegrafía el corresponsal del periódico neoyorkino en Méjico:

"El señor Mariscal ha declarado que el Presidente Díaz, si bien aprecia los esfuerzos del *Herald*, nada dirá ahora, para su publicidad, sobre los asuntos de Cuba. Según el señor Mariscal, si los Presidentes de los Estados Unidos y de Méjico siguieran la sugestión del *Herald*, su acción iría por las vías reguladoras de la diplomacia. El señor Mariscal ha agregado que toda publicidad anticipada sería contraria al fin que se desease."

Es un lenguaje muy cáuto y discreto. También lo es el del señor Romero; pero, con una nota de simpatía hacia nosotros.

Dice el señor Romero:

"Sin instrucciones de mi gobierno no estaría bien, ni lo haría yo, el aventurar opinión alguna sobre el asunto. El gobierno mejicano es amigo sincero de España y simpatiza con sus presentes pruebas, causadas por la insurrección cubana. A juzgar por las apariencias, no es probable que la perturbación tenga término pronto. Si los buenos oficios de las naciones amigas pudieran contribuir á traer en breve una solución pacífica y satisfactoria para todas las partes, pienso que Méjico se uniría, de buena gana, á todo movimiento para lograr ese resultado."

Hay, como se ve, mucha diferencia entre las perspectivas que presenta el señor Romero en su hábil respuesta y la proposición hecha por el *Herald*.

El señor Romero habla de una solución "satisfactoria para todas las partes" y proclama que Méjico es amiga de España.

El *Herald* propone una "tutela provisional" de los Estados Unidos y Méjico sobre Cuba; esto es, la eliminación de España.

Las indicaciones del señor Romero serán ó no serán aceptadas por el gobierno de Madrid. Recuérdese que, análogas, las hizo, en su último Mensaje, el Presidente de Venezuela. Nuestro gobierno considerará, probablemente, que unas y otras son innecesarias; pero no verá en ellas nada agresivo. La proposición del *Herald*—á la que el colega neoyorkino asocia, no sin torpeza, el ejemplo de Turquía—no puede tener para España más carácter que el de un intento de despojo.

La "tutela provisional", pedida por el *Herald*, implica que Cuba carece de las condiciones indispensables para ser independiente. Entonces ¿por qué no ha de seguir siendo española? Si requiere tutela, es la de España la legítima. Lo lógico sería que Méjico emplease sus buenos oficios en lograr del gobierno español que realizase, lo más pronto posible, las reformas radicales prometidas y en conseguir que los revolucionarios volvieran á la legalidad. Repitiendo una expresión del señor Romero, diremos que esto sería "satisfactorio para todas las partes" y no la proposición del *Herald*, que es peligrosa, como todo lo que da intervención á los Estados Unidos en la cuestión de Cuba.

Contra esa intervención debieran trabajar las repúblicas americanas de origen español. Si ellas, desde que comenzó el actual movimiento revolucionario, se hubieran concertado para dar la paz á Cuba, bajo la soberanía de España, es bastante probable que sus gestiones hubiesen tenido éxito feliz.

Una acción colectiva y conciliadora de los pueblos hispano-americanos, no solo no hubiese disgustado en España, sino que hubiera sido acogida con júbilo, porque, con ella, se habría dado jaque mate á los Estados Unidos.

No. 196.

U. S. CONSULATE GENERAL.

HABANA, October 26th, 1896.

File

Mr. LEE

TO THE

DEPARTMENT of STATE.

Whereabouts of Mr. JOHN FUERSTENHOEFER.

Can learn nothing concerning him.

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No. 196.

U. S. CONSULATE GENERAL.

HABANA, October 26th, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State,

Washington. D. C.

Sir:-

In reply to the Department's instruction No. 117, of 7th instant, with copy of letter from GUST: ORTH, making inquiries as to whereabouts of his brother-in-law, JOHN FUERSTENHOEFER, I have to state, that nothing is known in this office concerning him. I have had inquiry made at the German Consulate at the German Relief Society, at a brewery where Germans are employed, but without success. Also at the office of the Civil Government to ascertain if he had obtained a visa to his passport to leave the Island, but am informed his name does not appear in the record.

The foregoing is also communicated by me to Mr. GUST: ORTH, at Chicago, Ill, in answer to a letter received from him.

I am, Sir,

Very respectfully,

Your obedient servant,

Fitzhugh Lee

Consul General.

In cipher.

Telegram to Madrid Oct 28

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ASSISTANT SECRETARY OCT 28 1896 DEPARTMENT OF STATE

TELEGRAM RECEIVED.

Taylor

From Havana

October 27, 1896 Ans. Oct. 30/96 Nos 2

Received M.

Assistant-Secretary of State

Washington D.C.

Ward Line of Steamers threatened immediate levy for deputies fees supplemental to fines, See my 193. Ask Madrid order suspension until matters pending are settled, Urgent,

Lee

No. 197.

Mr. Faison

Asst'd Dec. 4 96

U. S. CONSULATE GENERAL.

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ASSISTANT SECRETARY OCT 31 1896 DEPARTMENT OF STATE

HABANA, October 27th.1896.

Mr. LEE

TO THE

DEPARTMENT of STATE.

Case of Louis Cowan, Junior.

His application for registration as a citizen of the United States. Three Enclosures.

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No.197.

U. S. CONSULATE GENERAL.

HABANA, October 27th.1896.

Honorable William W. Rockhill,
Assistant Secretary of State,
Washington.

Sir:-

With reference to your instruction No.83, of the 10th. September, relative to the request of Mr.Louis Cowan, Jr., who desires recognition as a citizen of the United States, under Section 1993 of Revised Statutes, and registration at this office as such, I have now the honor to transmit, as further supplementary evidence called for by the Department, a copy-translation of an evidently authentic document, the certificate of birth in this city, on March 24th.1839, and baptism of Mr.Louis Agapito Cowan, (the father of the applicant, the said Louis Cowan, Jr.) as the son of Wilson Cowan and Louisa Limbaugh, both native citizens of the United States; and the certificate of birth in this city on the 1st.November, 1875, and baptism of Louis Cowan, the son of Louis A.Cowan and Rita Sixta Berazaluce, both natives of Cuba. The originals of these documents exhibited to me have been carefully examined and found to agree with the foregoing facts. I also transmit the sworn statement of Mr.Louis A.Cowan, respecting his residence in the United States.

After a careful and impartial examination of the record, I find that this case is one of hundreds that have arisen in this office since the system of registering American citizens commenced in 1869, in which Cuban naturalized American citizens and those residing here of American parentage, jealously strive to preserve the boon of American citizenship, and succeed in many cases, by reason of the

defective wording and interpretation of our laws upon naturalization.

With reference to this special case, I find upon examination of the old records in this office, that Mr. Louis A. Cowan was registered about March 1869, when 60 years of age, under the Act of February, 1858, as the son of American parents; that he registered himself and wife in January, 1871; his widowed mother in 1872; his brother Oscar in 1876, and that up to 1877, he every year regularly presented for renewal in compliance with law, the cedula, or police pass, issued to him by the Government. He considered himself a citizen of the United States, as did the local authorities by the annual issuance to him of his cedula. But there is nothing beyond the most vague expression of an intention, to show that he ever intends to return to the United States, and resume duties, which he never exercised, or a residence in the United States, after his son, the applicant, "finishes the liquidation of his business".

Is Mr. Cowan, therefore, to be considered a bona fide citizen of the United States, at the time of the birth of his son, Louis, Jr., from the fact he actually resided in the United States at some time? There is a fear among citizens of this class who have sons born in Cuba, that some day they may be called upon to perform military service; hence the anxiety to obtain registration as Americans.

While Mr. Cowan, Jr., the applicant, avers that it is his intention to go to the United States some day to reside permanently, I cannot say whether he actually intends to return or render any service in support of the Government, or is a bona fide claimant, but that at this late day, within a few days of his majority to be so anxious to be registered, is, in my opinion, due to the fact that he is seeking protection of the United States for his own interests.

I am, Sir,

Your obedient servant,

Consul General.

Enclosures:-

1. Certificate of baptism of Mr.Louis Agapito Cowan.
2. do. do. Mr.Louis Cowan,Junior.
3. Sworn statement of Mr.Louis A. Cowan.

Enclosure No. 1
With Despatch No. 197
HABANA, October 27.1896.

Translation copy.

I, EVARISTO MARTINEZ y MENENDEZ, Presbiter, Docter in the Faculties of Sacred Theology and Canon Law, Parish Priest of the District Church of the Holy Guardian Angel (Angel Custodio) of this city of Habana,

Do hereby certify:- that in Liber XV of Baptisms of whites of this Parish of Sante Angel on page 650, is an entry to the following effect:-

"Wednesday, May 1.1839 - I, Don MANUEL de LARA y "CADALSO, Curate of the auxiliary Church of the Holy Guardian "Angel (Angel Custodio) of this city of Habana baptised and anointed with the holy oils a male child who was born on the "24th. March last, the legitimate son of Don WILSON COWAN and "Doña LOUISA LIMEÓ (LIMBAUGH) both natives of the United States, "and residents in this Parish, the paternal grandparents being "WILLIAM and MARY HENDERSON; the maternal CHRISTIAN and ISABEL "JAQUEL; I performed the usual ceremonies and prayers over "said child and named him LOUIS ADAPITO; his godparents were "Don JOSÉ MIGUEL de SASTRE and Doña APOLONIA MADRAZO whom I "advised of the spiritual relationship they contracted, and "subscribed the certificate thereof.

"(SIGNED) MANUEL de LARA y CADALSO".

A true copy of the original. Habana October 15.1896.

(SEAL) (Signed) EVARISTO MARTINEZ.

I certify the foregoing to be a true and faithful copy-translation of the original document, which has been exhibited to me for said purpose by Mr. Louis A. Cowan.

WITNESS my hand and seal this 20th. October, 1896.

Consul General.

Enclosure No. 2

With Despatch No. 197

HABANA, October 27.1896.

Copy translation.

I, the undersigned, Presbiter and Licentiate, Don JUAN E. MIGUAGARAY y FUMERO, Curate of the Parish Church of San Antonio de Cabezas, and Sub-Curate ad interim of the Parish Church of Jesus del Monte of the city of Habana:-

Do hereby certify:- that in Liber XIX of Baptisms of Whites on page 247, No. 594, is found the following:-

"Monday, November 6.1875, I, Don MANUEL de TORRES, "Curate beneficed by His Majesty, of this Parish Church of the "District of Jesus del Monte outside of Habana, solemnly bap- "tised a male child who was born on the 1st. of the present "month, legitimate son of Don LOUIS COWAN, a native of said city, and "Doña RITA SIXTA BERAZALUCE, native of San Cristobal de los "Pinos, residents of this Parish: Paternal grandparents Don "WILSON (Cowan) and Doña LOUISA LIMBAUGH; maternal, Don JOSÉ "and Doña MARIA de la LUZ ARRONDO; and I named him LOUIS de "los SANTOS RAMON de la CARIDAD; the godparents were Don "MANUEL CORRALES LOPEZ, and DOÑA MARIA JOSEFA BERAZALUCE de "MANDIN, to whom I advised the spiritual relationship they contracted, and subscribed the said certificate.

"Signed) [illegible] de TORRES."

The foregoing agrees with the original, to which I refer.

Jesus del Monte. Habana, October 8.1896.

(Signed) JUAN MIGUAGARAY.

I certify the foregoing to be a true and faithful copy-translation of the original document, which has been exhibited to me for said purpose by Mr. Louis A. Cowan.

WITNESS my hand and seal this 20th October, 1896.

[signature]

Consul General.

Enclosure No. 3-

With Despatch No. 197

HABANA, October 21.1896.

Copy.

MY AFFIDAVIT SHOWING:-

First I was born in Habana, Island of Cuba in the 24th. of March, 1839.

Second, my son LOUIS COWAN, Junior, was born in the same city of Habana in the 1st. of November of the year 1865.

Third, the first time I went to the United States was in the year 1848. My father took me to St. Louis, Mo. where his nieces were living, from there to Richmond, Va., and then to Chambersburg, his native place, from there to Philadelphia, where we took the American bark "Louise" and came to Habana. In the year 1851 I was sent to New York and a few days afterwards went to school at Tarrytown, Westchester Cty., N.Y., where I resided till the year 1855; that I left the College and came to New York city to live residing in Christie Street, No. 57, with the family of Mr. Jas. B. Bensel, with whom I lived till the year 1860; that I was called to Habana by my mother, as my father was very sick, dying two months after my arrival, to say in the 31st. of October. As I was working in New York for the firm of Pesant Bros. they took the opportunity of my coming to this city to leave me employ in the branch of their house established in this city, being my mother old I remained.

My home I have always considered the United States, and after my son finishes the liquidation of his business, we will be back to the United States, to New York where I hope not to move any more. My residence of in Habana have been condidered by Spanish Government employes as eventually, as I have never voted, being invited to do so, considering myself a U.S. citizen.

(Signed) Louis A. Cowan.

---------O---------

Sworn to and subscribed before me this 21st October, 1896.

(Signed) FITZHUGH LEE.

Consul General.

No. 198.

U. S. CONSULATE GENERAL.

HABANA, October, 27th. 1896.

Mr. LEE

TO THE

DEPARTMENT of STATE.

Registration of American Citizens.

Two Enclosures.

No. 198.

U. S. CONSULATE GENERAL.

HABANA, October, 27th. 1896.

Honorable William W. Rockhill,
Assistant Secretary of State,
Washington.

Sir:-

I have the honor to call the Department's attention to the past and present methods employed in the registration of citizens on this Island, because defects exist which, in my opinion, give much trouble, and for which a remedy could be found by a change in the laws now in force on the subject.

I learn that formerly the foreigner who engaged in business or desired to reside in Cuba, was obliged to take out what was called a "carta de domicilio", or domiciliary letter, one of the provisions of which was that after a certain time, three years, I think, he was bound to become a Spanish subject.

Shortly after the breaking out of the last insurrection, - that of 1868/78 - after certain troubles to which it gave rise in January 1869, such as the excesses committed by the volunteers of Habana, which resulted in the murder of an American citizen, the then U.S. Vice Consul General in this city, Mr. H.R. De La Reintrie, called upon all Americans to present themselves at the Consulate General and be provided with a certificate of their nationality as a safe conduct for their protection. His example was followed by other foreign Consuls, who opened registers at their offices. Mr. De La Reintrie was recalled in February, and Consul Hall, of Matanzas, was ordered to assume charge. The Political Secretary of the Superior Government, as the Government of the Island was then styled, requested Mr. Hall, and other Consuls as well, to furnish him with a list of such registered persons with a view of

furnishing them certificates of safe-conduct, signed by the Governor General. - (Mr.Hall to the Department of State, No.6.March 11.1869.) - This was done and Mr.Hall stated to the Department that of the 109 names he finds registered,55 are naturalized citizens and of these,52 were natives of the Island.-- I annex a copy of a salvo-conducto of that time.

This practice was kept up until 1870,the Consuls of other ports of the Island sending their lists of registered resident American citizens to Habana,to obtain the desired document from the General Government. During this year was published the "Law relating to Foreigners Residing in the Colonies",of the 4th.of July,1870,which defined the status of all foreigners;their residence; political and civil condition; and the rights of foreign vessels.

Art: 7 of this Law requires that every foreigner,to be considered as such,must be registered in the registers to be kept in the Superior Civil Governments,and at the respective Consulates,upon presentation of proper documentary proof. Art: 8 stated what data was required as to age,birthplace, profession,domicile and family, etc. Art: 9 that the registers of the Consulates should not be of legal validity unless they agreed with the register of the Government. A cedula de extrangero or foreigner's pass would then be issued to the interested party to accredit the identity of his person,and give him permission to reside and travel freely over the territory of the Island. These cedulas were issued by the Government,without charge -(Art: 14)- upon the Consul's application,who would receive and distribute them to the other Consulates of his nation on the Island,as required. Being valid for only one year,every year the Consular officers in Habana were obliged to get them renewed,a proceeding which gradually entailed upon this office at least, much extra labor and correspondence.

In February 1877,the Government decreed that the Cedulas when presented for renewal should be stamped as good for one

year longer,which saved the trouble of issuing new ones. This practice was again changed in consequence of the Royal Order of July 21st.1880,that all foreigners domiciled after 1881 should provide themselves with cedulas de vecindad or residence certificates,as was required of the "nacionales" or Spaniards, , and pay the same tax as was required of them, the said documents to be issued by the Alcaldes de Barrio, by renewal or upon a certificate of inscription in the Register of the Civil Government of the Province. Whence the practice obtained for many citizens who were registered at their respective Consulates,to procure their cedulas without any intervention of the Consul,and many of the Alcaldes, for the greater part ignorant and prejudiced,would interpret the said regulation to mean that cedulas must be issued to foreigners similar to those issued to Spaniards,and would issue and renew year after year,cedulas in which the citizenship of the holder was not expressed,and in all other respects would resemble the cedulas issued to Spaniards.

This office has registered newly arrived citizens upon presentation of the proper documents,passport and naturalization certificate,and issued to them the usual certificates of inscription addressed to the Governor of the Province, with instructions to present them at that office for registration and to obtain the cedula,but these citizens would be informed that such a register was no longer kept,that they must carry their certificates to the Alcaldes de Barrio,who would issue a cedula,and then this functionary would absolutely refuse to issue one in which their citizenship should be set forth. In one instance the party interested desired to make a protest but could find no Notary Public who could formulate one. Being a Cuban and intending to remain but a short time,he would not accept the document,but got a visa to his passport for the United States which was good for one month,at the expiration of which he renewed the visa for another month and so on,until he left .

On the other hand it suited the convenience and interest

of many less scrupulous citizens not to have their citizenship generally known. Such obtained employment from Government offices where ordinarily none but Spaniards were employed, and concealed the fact of their citizenship. I know of one case,a mechanic American born,who has resided here 30 years, married and has a large family,and who has been employed with his son at the Arsenal,but never acknowledged his citizenship,nor for years has asked the intervention of this office in regard to his papers. Now,fearful of losing his employment,business being depressed and his financial condition bad,has within a week applied to this office to afford him protection and relief in the shape of transportation for himself and family to the United States,believing that it is the duty of the Government to do so.

I am informed that in other cases many who were registered here as citizens have had their cedulas exchanged in the manner described,and in all respects conducted themselves as Spanish subjects,but who lately,to serve their convenience, have produced their American papers and claimed certificates of their registration in this office in order to comply with and obtain registration under General Weyler's decree of July last.

There does not appear to be any limitation to the American citizenship of a naturalized Cuban,who returns to his own country and resumes his former residence. The United States has a number of treaties entered into with Germany, Denmark,and other nations,whereby a native of these countries who has acquired American citizenship,and returns to his own country and resides there over two years,loses his acquired citizenship,and vice versa.

It is obvious that from this cause alone,viz: - no limitation to the duration of Cuban acquired citizenship - is to be ascribed many of the disagreeable relations between the United States and Spain.

The registration now being made at the General Government of foreigners in the Island, under General Weyler's decree of July 14th. last, is more strict in its requirements and more oppressive on the foreigner. The decree (forwarded to the Department in my No. 54, July 16th.) alludes to the want of observance on the part of resident foreigners of the Law of July 4th. 1870, and the Law of Civil Register of 1884, and the frequency with which they conceal or invoke their status of foreigner as it may favor or prejudice them. One month was allowed within which to register, which period was afterwards extended till 31st. October. The decree also declares that all foreigners who shall not have registered within the specified period may not invoke the laws or privileges conceded them by law, - but this point has already received the attention of the Department in its instructions No. 49 of August 4th., and No. 81 of September 9th.

Naturalized Cuban Americans specially have been put to considerable trouble to fulfil this requirement, and even heavy expense to obtain and present certificates of their birth, marriage, and birth of their children, and also procure two Spanish witnesses to identify them. Many have desisted from registering on this account, while others have eagerly seized the opportunity to inscribe themselves, and their children who perhaps would not receive recognition at this office. I know that Manuel A. Pelaez, whose case was reported in No. 33, July 4th., has registered his wife and children at the General Government, and obtained certificates of their inscription as American citizens from this Government, while it will be remembered the Department of State rejected his claim to registration as such at this office.

The General Instructions to H.B.M's. Consular Officers, of 1893, specially bears in mind "that naturalized British "subjects cannot claim any privileges as such in the "country of which they were subjects before naturali-"zation".

How much trouble would have been saved between the U.S.

Government and Spain, if some such law were in force!

I am, Sir,

Your obedient servant,

Consul General.

Enclosures:-

Forms of "Salve-conducte".

Dear Adler,

I am sorry that I have not had the pleasure of meeting you with any [illegible] work, but when at leisure, I would be obliged if you would look at this despatch.

W.R.

2D ASSISTANT SECRETARY.

NOV 5 1896

Dear Mr. Rockhill.

I see nothing to be done, except to ack as read with interest.

Only two remedies are possible, (a) a naturalization treaty with Spain and (b) amendment of our own naturalization law in the sense of the British law, i.e., making naturalization invalid in the event of the party returning to his native country unless by the laws thereof

or by treaty therewith his change of status be recognized.

I discussed the latter point a few days ago in our instruction to Mr. Peak, Switzerland which you may care to read. Our Congress would never legislate in that spirit.

As to a naturalization treaty with Spain, the Senate would not ratify one now unless with some such condition as it introduced in re-consenting to the Turkish treaty in its Resolution of Feb. 28, 1889.

See a recent elaborate instn
to Mr. Terrell on this point.

I suggest that when Gen. Lee
comes here you let him read
the instructions sent to Mr. Peak
and Judge Terrell.

The Consulate General
should however insist that the
Spanish cedulas of registry
shall distinctly express the
nationality of our citizens. The
practice described by Gen Lee
on page 3 is responsible for much
of our trouble in Cuba.

AHL

Enclosure No.1.

With Despatch No. 198

H A B A N A , October 27th 1896.

Copy.

CONSULADO GENERAL de los
ESTADOS UNIDOS DE AMERICA, en la HABANA.

-----o-----

CERTIFICO que el portador de la presente, D. - - - -
es ciudadano de los Estados Unidos de America, vecino de - - - -
calle de - - - - - - - y de profesion, - - - - - -

Por lo tanto, suplico á toda autoridad civil ó militar de esta Ysla se sirva concederle, como tal ciudadano de los Estados Unidos, toda la debida proteccion y amparo.

DADO bajo mi mano y el sello de este Consulado General en la HABANA el dia ---- de 1870

(Seal)

Consul General.

Firma del interesado.

Translation.

U.S.CONSULATE GENERAL at HABANA.

I hereby certify that the bearer of this document, Mr.----
is a citizen of the United States of America, resident of,-----
at No.---------- and his profession is --- --

I therefore request all civil and military authorities of this Island to please grant him as such citizen of the United States all lawful aid and protection.

Given under my hand and the seal of this Consulate General at HABANA, the of - 1870.

Consul General.

Signature of the bearer.

Enclosure No. 2.

With Despatch No. 198

H A B A N A , October 27" 1896.

Copy.

GOBIERNO SUPERIOR POLITICO de la Ysla de Cuba. Secretaria.

DON FELIPE GINOVES ESPINAR, General 2ndo Cabo de la isla de Cuba y en la actualidad Capitan General interino y Goberandor Superior Politico,

CERTIFICO : Que el portador de la presente, D.- - - - - - es natural de los Estados Unidos, vecino de esta capital, calle de------- y de profesion - - - -

POR lo tanto toda autoridad civil ó militar de esta Ysla le concederá como tal súbdito americano, la debida proteccion y amparo siempre que sus actos no se opongan á ninguna de las leyes que regen en esta provincia.

HABANA, -- de ------ de 1869.

FELIPE GENOVES ESPINAR.

(Seal)

Registrado Numero.

Translation.

SUPERIOR POLITICAL GOVERNMENT of the Island of Cuba. Office of the Secretary.

Don FELIPE GENOVES ESPINAR, General 2ndo Cabo of the Island of Cuba and at present Captain General ad interim and Superior Political Governor,

DO HEREBY CERTIFY that the bearer of this document Mr.---- is a native of the United States, resident of this city at No. --- ,------ St. and by profession,---------.

THEREFORE, all the civil and military authorities of this Island will give him as such American subject, all due aid and protection, provided his acts are not opposed to any of the laws ruling in this province.

HABANA, June 1869.

FELIPE GENOVES ESPINAR.

(SEAL.)

Registered at No.----

Firma del interesado.

(Signed) E.L.PLUMB.

Visto Bueno.

Consul General.

Signature of bearer.

Approved:

(Signed) E.L.PLUMB.

U.S.Consul General.

Havana

October 29, 1896

confirmed nov. 2/96

FORM No. 2.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
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LIVERPOOL: No. 8 Rumford Street.
GLASGOW: No. 29 Gordon St. and No. 4 Waterloo St.
BRISTOL: Backhall Chambers.

NUMBER	SENT BY	REC'D BY	No. OF WORDS.	FROM
A209NY	QX	JM	30	U.S. Govt. Havana

RECEIVED at 5:49pm. , Oct.29-96 189

Ans by Tel 10/29/96

Oct.29 Asst. Secy State Washington

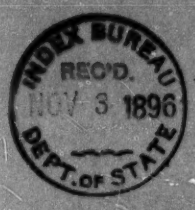
Intendente agrees suspend execution Fees Ward and Co. for forty eight hours began to levy to-day to sell in twenty four thereafter

Lee.

3210

No. 199.

U. S. CONSULATE GENERAL.



HABANA, October 31.1896.

Mr. LEE

TO THE

DEPARTMENT of STATE.

CONFIRMING TELEGRAMS.

----------(0)--------

No. 199.

U. S. CONSULATE GENERAL.

HABANA, October 31.1896.

Honorable W. W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

I append for confirmation copies of telegrams received, and transmitted to the Department of State.

I am, Sir,

Your obedient servant,

Consul General.

TELEGRAMS RECEIVED.

Washington, Oct.24.1896.

Lee, Consul General, Habana.

United States Minister at Madrid cables the Department as follows:- Minister for Foreign Affairs after a Cabinet meeting says Spanish Government maintains its promise made as to shipment tobacco purchased before decree. Telegraphic instructions sent Governor General directing him to pass upon evidence in each case presented in a spirit of justice and equity. Government will not assume that he has acted improperly on any case prior to re-examination here. Cases already presented by me under examination.

(signed) Rockhill.

over

Washington, Oct. 29. 1896.

Lee, Consul General, Habana.

In matter of levy execution fees on Ward and Co., ask at once suspension, until Madrid Government replies to request made it, by our Minister on cable instructions sent him yesterday. Report result by cable.

(signed) Rockhill.

TELEGRAM SENT.

Habana, October 22. 1896.

Assistant Secretary of State, Washington, D.C.

18000 troops now moving in two columns on Maceo.

(signed) Lee

Habana, Oct. 27. 1896.

Assistant Secretary of State, Washington, D.C.

Ward Line Steamers threatened immediate levy for deputies' fees supplemental to fines. See my 193. Ask Madrid order suspension until matters pending are settled. Urgent.

(signed) Lee.

Habana, Oct. 29. 1896.

Assistant Secretary Of State, Washington, D.C.

Intendente agrees suspend execution fees, Ward and Co. 48 hours. Began to levy today, to sell in 24 hours thereafter.

(signed) Lee

----------O----------

No 200.

ASSISTANT SECRETARY
NOV 3 1896
DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

HABANA, October 31, 1896.

INDEX BUREAU
REC'D.
NOV 3 1896
DEPT. OF STATE

Mr. LEE

TO THE

DEPARTMENT of STATE.

Relative to the visa to passports of chinese to enter the United States.

---------o----------

No. 2 0 0 .-

U. S. CONSULATE GENERAL.

HABANA, October 31st,1896.

Hon: William W.Rockhill,

Assistant Secretary of State,

Washington. D. C.

Sir:

With reference to instruction No.122 of the 9th instant, and copy of a communication to the Secretary of the Treasury, by Mr.SCHARF,Chinese Inspector,relative to alleged irregularities in certificates of chinese persons desiring to enter the United States,and the statement regarding the action of this office and the fees collected by "some one" for visaing such certificates, I beg to state in reply that this office has no knowledge of the charges made. The only fee collected for the visa tp passports of chinese is one dollar, U.S.or its equivalent, and this fee is credited to the U.S. in the quarterly returns.

Shortly after my arrival here,Mr.YU SHI YI, my chinese colleague,requested me not to visa any passport that had been once used,and informed me of other precautions adopted to prevent fraud and abuse in that respect. I refer to my No.45 of July 9th,and No.62 of July 22,in reply to the Department's instruction No.24 of 3rd July,and also to my 108,which described the manner in which passports issued by the Chinese Consul,are visaed at this office.

The visa to passports of chinese persons in transit across the territory of the United States to and from a foreign country explicitly states that it is "good for the U.S. "in transit for China,via Canada,vancouver,etc,in accordance "with Art:3 of the treaty between the U.S.and China of Dec- "ember 8th,1894." Moreover,a descriptive list signed by

U. S. CONSULATE GENERAL.

HABANA.

the Chinese Consul and myself is forwarded to the Collector of the port where the chinese will land. Those passports issued by the consul for persons to enter the U.S.upon certificates of affidavits of identity,etc,are always presented to me accompanied by said certificates for their examination in conformity,and if found in order,such passports after examination and comparison with the holders,are visaed. This office has no means for further investigation in the premises and accepts the certificate of the Chinese Consul General as prima facie evidence of the right of the holder to enter the United States.

The consul against whom the Inspector complains in his letter has left for China upon a six months leave and is replaced by Mr.LI YUNG YOW, formerly of San Francisco.

I am, Sir,

Your obedient servant,

Consul General.

No.

U. S. CONSULATE GENERAL.

HABANA, October 31. 1896.

REPORT of AMERICAN INTERESTS in the district of CIENFUEGOS.
damages and injuries to same by reason of present insurrection.

-----o-----

1.

a. Data in the form of sworn inventories and appraisements of real and personal property, filed in this office; $5,747,878.46

b. Property, the owners of which have not filed inventory and appraisement; estimated carefully, $4,150,000.-

c. To above may be properly added certain American interests in form of mortgages, advances of money, machinery, etc to planters whose properties have been destroyed, which I estimate from best inform'n $2,150,000.

$12,047,878.-

2.

Damages and injuries sustained by citizens of U.S. by reason of the insurrection. viz:-

d. From data in this office in form of sworn statements which have been forwarded to Washington $ 498,468.78

e. Estimate of damages sustained by sundry American citizens, who being resident in this locality prefer, for obvious reasons to delay present'g c'lm $2,500,000.-

$2,998,468.78

3.

Number, dates and amounts of claims filed at this office, not yet transmitted to Washington.:-

f. Decr 9, 1895.	P.M.Beal; cane burnt by the insurgents in his colonia "Guabairo".	$	9,924.86
" 20, "	The same files simliar claim,	$	8,422.65
" 26, "	" " " " " ,	"	19,068.61
" 31, "	" " " " " ,	"	486.09
		$	37,902.21

May 25/97.

My dear Mr. Cridler: —

The accompanying papers were brot to the Department by Consul Gen'l. Lee, in person, and handed to Secy Olney, sometime after Nov. 4/96 —

They were brot in compliance with Dep't's Telegram to Gen'l. Lee. of Oct. 14, 1896 — copy of Telegram attached to papers. —

Subjects of papers.

American interests in Cuba. — Damages, injuries to same, & claims on a/c thereof. —

Am. citizens in Cuban prisons awaiting trial. — (prior to Oct. 31/96)

Secret order issued by Gen'l. Weyler to prevent work on Sugar estates, etc.

Customs receipts on importations into Cuba for 1895, and first 1/2 of 1896.

Mr. Olney returned these to Dep't. from Mass. — Probably found ~~[illegible]~~ among his papers. I think the Secy or Judge Day should see them. — F. W.

C I E N F U E G O S .

	Brought over	$ 37,902.21
March 7,1896.	Memorial of J.Ma Jimenez to the Secretary of State,claim for - - -	$ 19,090.45
		$ 56,992.66

T R I N I D A D .

March 10,1896.	Manuel de la Torre,statement sworn to and filed with Consular Agent, for property destroyed.	$ 37,450.-
March 10,1896.	P.M.Beal, files statement of cane burnt byb insurgents,without stating value thereof :	
		$ 94,442.66

Cienfuegos, October 27th,1896

(Signed) JUAN J.CASANOVA.

Vice Consul.

No.

U. S. CONSULATE GENERAL.

HABANA, October 31 1896.

CLAIMS filed at HABANA, and sent to Department of State.

Date.	With Desp: No.	Name.	Amount claimed.
1896 Jan. 3.	2709.	Henry Heidegger.	$ 26,000.-
" 30.	2746.	the same.	" 100,000.-
Feb. 25.	2796.	George L. Lay.	" 35,323.-
March 28.	2845.	JosÉA. Ferrer.	" 5,000.-
April 6.	2876.	José Y. Toscano.	" 15,000.-
" 6.	2908.	Federico P. Montes.	" 125,000.-
" 11.	2877.	José M. Delgado.	" 200,000.-
" 11.	2885.	José Antonio Yznaga.	" 156,500.-
" 18.	2909.	José R. de los Reyes & wife	729,161.-
" 20.	2910.	José G. & José M. Delgado.	178,534.-
" 24.	2921.	Andres L. Terry.	$ 334,905.-
" 25.	2928.	Perfecto Lacoste & wife.	" 652,900.-
" 29.	2936.	Antonio A. Martinez.	" 35,000.-
" 30.	2937.	Cris. N. Madan.	" 88,000.-
May 5.	2948.	Joaquin Perez Cruz & wife?	70,000.-
" 5.	2954.	George W. Hyatt.	" 124,707.-
" 6.	2953.	Manuel A. Recio Morales.	" 250,000.-
" 4.	2991.	Pedro C. & Ricardo A. Casanova.	" 40,400.-
" 12.	2992.	Teresa Joerg.	" 2,500.-
			$ 3,168,930.-

---------O---------

1896.					
June	16.	5.	R. Farres, Att'y. A.V.de Goicuria.	$	130,000.-
"	22.	10.	Juana M.de Maragliano.	"	25,000.-
"	23.	11.	Rosa C.de Maragliano.	"	30,000.-
"	30.	38.	Luis Felipe Morejon.	"	15,000.-
July	6.	44.	Dolores Garcia Durie.	"	200,000.-
"	3.	35.	George Fortin.	"	32,450.-
"	7.	43.	William R. Thorne.	"	25,000.-
"	2.	56.	Miguel de la Vega.	"	71,683.-
"	17.	57.	Louis Wertheimer. (tobacco)	"	61,400.-
Sept.	1.	110.	Bruno Diaz. (tobacco)	"	210,000.-
"	4.	115.	Federico P. Montes.	"	125,000.-
"	29.	154.	Samuel T. Telon.	"	150,000.-
Oct.	21.	189.	F. Neumann. (tobacco)	"	200,000.-
				$	1,275,533.-

No.

U. S. CONSULATE GENERAL.

HABANA, October 31. 1896.

REPORT of AMERICAN INTERESTS in the PROVINCE of MATANZAS; damages and injuries to same by reason of present insurrection.

---------o--------

AMERICAN INTERESTS: estimated from commercial lists, broker's schedules, etc. (correct) $8.750.000.

DAMAGES to AMERICAN INTERESTS, by reason of present insurrection. Low approximate estimate 45 per cent $3.937.500.

CLAIMS on file, not transmitted to Washington,- none.

(Signed) A.C.Brice,

U.S.Consul.

Matanzas, October 24th, 1896.

No.

U. S. CONSULATE GENERAL.

HABANA, October 31,1896.

REPORT of AMERICAN INTERESTS in district of SAGUA la GRANDE. Damages and injuries to same by the present insurrection.

-----o-----

Crop of 1894/95,the last the mills have been able to grind, amounted approximately to 266,000 bags of 325 lbs each,which at an average of 4 reals,or 2cts,makes an estimated value of $1,729,000.

Impossible to place a correct value to this property,yet when considered that these American owned mills are large Centrals appraised at commencement of the insurrection from half to one million dollars each,it will be seen that large capital is involved.

Of the Centrals as well as the "Yngenios" but two are protected,the others having been abandoned and the owners with their familes driven to seek safety in the garrisoned towns.

I estimate their value to have been ... $7,500,000. As they are to-day,abandoned,some burned to the ground,others stripped of important machinery,stock gone, etc, but little value, apart from the land,remains.

The insurgents having warned planters not to attempt to grind,and without means of drawing cane to the railroads or mills, renders it impossible to make a crop the approaching season.

There are no claims on file,but many claimants who do not dare as yet to present themselves to make claims, for fear of violence from Spanish guerrillas.

SAGUA ,Oct:26,1896.

(Signed) WALTER B.BARKER.

Consul.

No._____

U. S. CONSULATE GENERAL.

HABANA, October 31st 1896.

List of American citizens in Cuba in prison and awaiting trial.

Date of arrest.		Name.	Present location.
1895.February.	24.(1)	Julio Sanguily.	Cabaña Fort.
1896.April	25.(2)	Alfredo Laborde	" " ("Competitor")
"	" (3)	Ona Milton.	" " "
"	" (4)	Charles Leavitt.	" " "
"	" (5)	W illiam Barnett.	" " "
"	" (6)	Wm.Gildea,(Liverpool.)	" " "
January	12.(7)	Joseph L.Cepero.	Santa Clara.
May	15.(8)	Francis J.Larrieu,	Cardenas.
July	7.(9)	Louis Someillan.	Habana Jail.
"	9(10)	Manuel Fernandez Chaquielo.	Fort "Cabaña".
"	11(11)	Jorge Aguirre.	" "
September	1(12)	Oscar Cespedes.	Matanzas.
"	7(13)	Antonio Suarez del Villar.	Cienfuegos.
"	21(14)	Esteban Venero.	Los Palos.
October	4(15)	Adolphus Torres.	Sagua la Grande.
~~"~~	~~8(16)~~	~~Esteban Cespedes.~~	~~Habana Jail.~~

No.

U. S. CONSULATE GENERAL.

HABANA, October 31. 1896.

MONTHLY RECEIPTS of customs duties upon importations, received at the 15 Custom Houses of the Island; which are HABANA,--- MATANZAS,----- CARDENAS,------CIENFUEGOS, S.de CUBA,-----TRINIDAD,------SAGUA,---------CAIBARIEN, NUEVITAS,------MANZANILLO,----GIBARA,--------BARACOA, GUANTANAMO, ZAZA, and SANTA CRUZ. viz:-

1 8 9 5.

January, ...	$ 847,649.82
February, ...	" 716,356.93
March, ...	" 805,385.96
April, ...	" 880,221.55
May, ...	" 751,536.98
June, ...	" 755,598.75
July, ...	" 712,505.78
August, ...	" 624,448.04
September, ...	" 610,198.66
October	" 601,391.70
November, ...	" 764,614.63
December, ...	" 611,021.68.
Total:	$8,775,930.48

1 8 9 6.

January, ...	$ 595,752.18
February, . .	" 426,608.37
March, ...	" 423,241.13
April, ...	" 450,222.20
May, ...	" 559,124.35
June	" 571,642.29
July	" 701,517.28

No.

U. S. CONSULATE GENERAL.

HABANA, MANZANILLO,, CUBA, Nov. 4th. 1896

REPORT of the EXTENT of AMERICAN INTERESTS in this DISTRICT. DAMAGES and INJURIES WHICH HAVE SUSTAINED BY REASON OF THE PRESENT INSURRECTION, and the CLAIMS ESTABLISHED in VIRTUE THEREOF.

1. No claim whatever for the reasons mentioned has been made here by any citizen of the U.S.

2. No data exists in this Office with regard to the extent and value of the properties owned here by said citizens, and as most of them have left the Island, I can but trust to my personal knowledge of the persons and of the country for forming said report; which of course, cannot under such circumstances, be very correct.

1. The firm of J.L.Ramirez & Co. which is composed of Messrs. José L.Ramirez, his son, and Mrs. Ramirez, the widow of another son deceased 3 years ago, Mr. Charles H.Ramirez, and leaving three children; the first mentioned Mr. Ramirez' daughter-in-law, Mrs. Aricia Oro, married to his son Mr. Francis J.Ramirez; all these are citizens of the U.S., and residing in New York.

The other parties interested in the said firm are Mrs. Consuelo Oro, married to Mr. B.M.Marty, and residing just now in Jamaica, and myself.

This firm possesses the Sugar Estate "SALVADOR", in which has been invested some $500,000.; the Estate has suffered damage to not inconsiderable extent, owing to the interruptions and increased expenses of the two last crops caused by the revolution, the burning of wire fences and of houses belonging to the Estate and its colony, besides the destruction of cattle; but it would require a very minute study to be able to form even an approximate calculation of the value of the loss sustained.

No.

U. S. CONSULATE GENERAL.

HABANA,

The firm owns also cattle amounting at the outbreak of the revolution to about 7000 to 8000 head,valued at some $80,000. the cattle being reared on the haciendas or farms of Cabaniguan and Viramar there were besides on these farms some 300 to 400 horses of different sexes and ages,valued at some $5000. to $7000. These lands are situated to the west of this place,bordering on the sea,between this and the town of Sta.Cruz,partly in the jurisdictions of Bayamo,Las Tunas (Victoria) and Pto.Principe;and comprise some 6000 caballerias (about 200,000 acres) and belong to the above mentioned Mr. J.L.Ramirez and the also mentioned Mrs.Aricia Ramirez,born Oro,and Mrs.Consuelo Marsó,born Oro.

These lands were rented by the firm of J.L.Ramirez & Co. for the purpose of breeding the cattle already mentioned and for drawing of wood of which of which there are large forests, especially mahogany and cedar.

Little is actually known of these lands and cattle,as the only place occupied by the Spanish Government is the Zanja on the seaboard where there is a fort garrisoned by about 100 men,all the rest of these lands being under the exclusive control of the rebels,and all communication therefore being cut off, it is impossible to form an idea of the state of the cattle or the farm,and consequently the damage sustained.

However,when in the month of May last the fort in the Zanja was attacked by the rebels,and General Andres Gonzalez Muñ-oz went from here to the Zanja for the purpose of aiding the garrison in said place,he sent on a column from there to the Jagüey,the principal farm on said lands with orders to burn the place under pretence that it was a rebel encampment,although no rebels were there. The popular version of this feat which I have from eye witnesses (Span:soldiers)is that the only living being that the Span:troops found on their arrival

No.

U. S. CONSULATE GENERAL.

HABANA,

at the Jagüey "was a donkey all decorated with flowers and wreaths" which had been left there in the garden to receive the Spaniards, of course a trick of the rebels.

The troops meanwhile complied with their orders and burnt the houses on the place valued at $7000. to $8000. and of this I gave an account to Consul Hyatt in my letter of 5th. May last.

2. Messrs J. Rigney & Co., owners of the sugar estate "TERESA", situated at Ceiba Hueca: it contains 10000 acres of land, 9000 acquired by purchase, and 1000 under lease. There are about 5600 acres of this land growing sugar cane. The investment in the plantation is approximately $1,565,000., Am. gold, as per following items:

Lands $85000. : Sugar Cane $370,000. : Buildings $125,000. Machinery $850,000. : Cattle Carts etc. $135,000.....
This property was abandoned by the Span: forces, when it was immediately looted by the rebels, who carried off the cattle, some 25,000 empty sugar bags, household furniture, bedding, clothes, tools etc., valued at least at $100,000. Besides this the Estate has had losses by burnt canes, irregularly and imcreased expenses in grinding, houses burnt by the rebels etc., which Mr. Rigney loosely calculates at about $300,000.

3. Mr. Manuel Romagosa and his wife, Mrs. Claudina Romagosa, born Buelta, own the potrero (a farm fenced in and planted with artificial pasture) "REPELON" , and the haciendas, or farms for rearing cattle, "SANTA ANA", "SAN VICENTE", "OROZCO, "SAN ANTONIO", "TAGUABO", "LA OLALLA" and "GARATAS", comprising some 400 caballerias (about 13000 acres) and containing about 8000 head of cattle, valued at some $250,000. All this cattle has disappeared, almost all having been taken away by the Insurgents, and the properties have been destroyed, mostly by fire.

No.

U. S. CONSULATE GENERAL.

HABANA,

On the Sugar Estate "SAN RAMON", of which he was a share-holder and besides owned canes, houses etc., his interest was about $150,000.

This Estate has likewise sustainted losses in the same proportion as the others already mentioned.

4. Mr.F.J.Calvar owns the potreros "CAÑADA" "HONDA", with some 100 to 120 caballerias (3300 to 4000 acres) "SAN MIGUEL" and "RANCHON", with some 30 to 40 caballerias (1000 to 1300 acres) and the hacienda "LA VEINTE y UNA", with, I believe, some some 3000 to 4000 head of cattle, all of which have been taken off by the rebels, and the farm destroyed and mostly burnt, partly by the rebels and partly by the Span: soldiers.

5. Mr.Fr.de B.Bertot possesses some property here valued at about $5000. to $6000.

6. Mr.Eladio Aguilera and his wife also own property here in town of about the same value: and he had besides some 600 head of cattle on a farm belonging to his mother in law; all of this cattle has been taken away by the Insurgents, and the farm burnt and destroyed.

7. Mr.Santiago Gordillo also has some property in this city, I believe, to the amount of $1500 to $2000.

Besides these Mr.Louis Felipe Sanchez, Mr.Richard R.de Cespedes, and Mr.Charles M/Cespedes, two latter absent from the Island, also possess property in the country in this district, but I not aware to what extent.

I myself own the potrero and farms "EL ~~RINCON~~ Rincon" and "LIMONES ABAJO" consisting of some 80 cabellerias (about 2600 acres) with about 1700 head of cattle, in which was invested some $27,000. The cattle have been taken off by the Insurgents, and the property destroyed.

Yours respectfully,

(Signed) Wm.A.Stakemann
Consular Agent.

Form 82. T. W.

Transmitted south No. 1009a *at* ____ *m. By* ____

THE INTERNATIONAL OCEAN TELEGRAPH CO.

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after the message is filed with the Company for transmission.

This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.

THOS. T. ECKERT, President and General Manager.

RECEIVED at HAVANA. 1009a Oct 19 1896

61 he W

69 Govt Washington

Lee Consul General Habana

18404 56935 44021 47151 49814 29218 12647
35937 in 23785 35450 52781 from 35760 and 22566 48509 12293 20275
30413 35450 18392 not 29987 33344 and 37997 of 12647 20212 in 23785
44598 and 10012 53624

Olney

Goverment at Washington.

Lee, Consul General, Habana.

Bring with you if practicable report shewing the extent of American interests in Cuba, injury therete from Insurrection and the continuance of same, also claims for such injury, if any not on file here, and list of American citizens in Cuba, in prison and awaiting trial.

(Signed) Olney.

Order to commanders of columns to prevent by all means the work on sugar estates. Those owned by natives or spaniards must have carts destroyed and animals killed — If owned by foreigners workmen of all sorts to be taken away. This order given privately to avoid the harm done by publishing a Bando.

The so called fight with Lacret forces, was an attack made by spaniards on a rebel hospital, denounced by Jerez Varona. Every soul wounded and attendance killed.

These 2 news are truthful

Marzo.—

Orden.	Dia.	Nombre	Lugar	Columna
1	2	Victor Figueredo	Matanzas	"
2	6	Jesus Peña	Sta Clara	"
3	6	José Pachol	"	"
4	6	José Martin	"	"
5	13	Francisco Garcia	Stgo de Cuba	"
6	25	Juan Perez	Habana	
7	"	José Aguila	"	
8	28	Blas Alvarez	Pinar del Rio	
9	30	Enrique Aleman	Habana	

Abril.—

10	6	Eimoteo Mesa	Matanzas	
11	"	José Gonzalez	"	
12	"	Ramon Gonzalez	"	
13	"	Sebastian Fraqueda	"	
14	8	José Cabrera	Habana	
15	"		Pinar del Rio	
16	17	Gregorio Borges	Habana	
17	"	Esteban Hernandez	"	
18	"	José Bacallao	"	
19	27	Mariano Martinez	"	

Mayo

20	4	Basilio Lara	Habana	
21	12	Florentino Herrera	Cardenas	
22	11	José de Jesus Blanco	Habana	
23	11	Cornelio Alvarez	Colon	

One, GOMEZ CARRERRA - Photographer Now in "La Gabanas", was with both the columns of MELGUIZO and BERNAL and saw the former shoot 36 men and 4 women, the latter, 23 men and 3women.

Dia			
4	6	Jose' Martin	" "
5	13	Francisco Garcia	Stgo de Cuba "
6	15	Juan Perez	Habana
7	"	Jose' Aguila	"
8	28	Blas Alvarez	Pinar del Rio
9	30	Enrique Aleman	Habana

Abril

10	6	Timoteo Mena	Matanzas
11	"	Jose' Gonzalez	"
12	"	Ramon Gonzalez	"
13	"	Sebastian Fresneda	"
14	8	Jose' Cabrera	Habana
15	"		Pinar del Rio
16	17	Gregorio Borges	Habana
17	"	Esteban Hernandez	"
18	"	Jose' Bacallao	"
19	27	Mariano Martinez	"

Mayo

20	4	Bazilio Lara	Habana
21	12	Florentino Herrera	Cardenas
22	11	Jose' de Jesus Blanco	Habana
23	11	Cornelio Alvarez	Colon

24	11	Ygnacio Vial	Matanzas.
25	12	Francisco Pelaez	Puerto-Principe
26	20	José Rodriguez	Matanzas.
27	27	Juan Bordacer	Matanzas
28	"		

— Junio —

9	10	Benito Falcon	Habana.
10	9	Andrés Hernandez	id
1	10	Miguel Cabrera	id
32	17	Clemente Martinez	Matanzas
33	16	Gustavo Carrera	Baracoa
34	17	Juan Bta Alvarez	Matanzas
35	19	Quintin Perdigon	Habana
36	19	Nolasco Gonbraber	id
37	23	Pedro Acosta	Matanzas
38	29	Candido Crespo	id
39	27	Luis Mouro	id
40	27	Miguel Alvarez	id
1	27	Joaquin Canales	id
2	"	Juan Bacallao	Vagua

— Julio —

3	6	Joaquin Pastrana	Habana
4	7	José Perez Reyes	Matanzas
5	10	Cornelio Fernandez	id
6	9	Leonardo Almeida	id
7	11	Andrés Cantero	Güira de Melena
8	11	Nazario Chacon	id

Orden "Oficial" Cubana Fcca
La Lucha. From muelle to Sept 4 Mañana
mostly from Habana

Orden	Día.			
49	14	Gustavo Rodriguez	Laguna	3rd
50	17	Ramon Suarez	Matanzas	
51	17	Enrique Soler	id	4th
52	id	Fulgencio Sanchez	id	
53	20	Calixto Rodriguez	id	1st Cook
54	27	Luis Moro	id	
55	27	Miguel Alvarez	id	
56	"	José Jimenez	id	
57	"	Antonio Cairo	id	
58	28	Ricardo Barrio	id	
59	id	Feliciano Martinez	id	
60	30	Alfredo Adan	Puerto Principe	
61	"	Alberico de Varona	id	
62	"	Miguel Angel Nuñez	id	

—Agosto—

63	1	Antonio Peña	Habana
64	2	Narciso Rodriguez Lopez	id
65	2	Amado Martatany	Matanzas
66	"	Santiago Nuñez	Sto Domingo
67	4	Pedro O'Farrill	Matanzas
68	5	Rodriguez Estevez	id
69	10	Eulalia Sa Fernandez	"
70	"	Felipe Espinola	"
71	11	Basilio Soler	Habana
72	12	Manuel Vazquez	id
73	13	Leoncio Ojeda	Habana
74	16	Manfredo Carrillo	Matanzas

75 – 17 – Benigno Hernandez – Habana
76 – 21 – Joaquin Perez Estrada – P.to Principe

– Septiembre –

77 1 Eustaquio Cabrera – Habana.
78 – 3 José Silva – Matanza
79 4 Anastacio Badia – Habana
80 9 Luis Faisal – Habana
81 – 5 Margarito Gonzalez – Guanajay
82 – 8 Victor Rubin – Bagua
83 – 18 Francisco Barroy – Habana
84 – 24 Casimiro Piedrahita – id
85 – 24 Angel Calleja – Matanzas
86 " Bienvenido Sanchez – id
87 " Aniceto Hernandez – Lajas
88 – 26 José Chartrand – Matanzas
89 – 29 Marcelino Alejalde – Habana
90 – 30 José Santiesteban – Holguin

Ultimos fusilados por el General Melguizo.

—

Rafael Mojena. Lechero.Viejo de 60 á 70 años de edad.
Faustino Rodriguez. Tabaquero rezagador.
Pablo Valdés,conocido por Jubito. id. id.
Rafael Gonzalez. Barbero.
Julian Gonzalez. Labrador.
Diego Delgado. id. id.
Luis Delgado. id. id.
José Calasanz Castillo. Yerbero.
Fabian Valdés. Carpintero.
Tomás Gonzalez. Cocinero.
Pedro Collazo. Escogedor de tabaco.
Benigno Morales. Labrador.
Jacinto Herrera. Jornalero.
Joaquin Ameti. Jornalero.
Paulino Peñalver. Carpintero.
Juan Perez. Lechero.
Margarito Carrera.Jornalero.
Paulino Delgado. Labrador.
José Domingo Pluma. Jornalero.
Luis Pluma. Jornalero.
Paulino Zayas. id.
Agustin Larrinaga. id.
Mauricio Carbó. id.
Agustin Martinez.Labrador.
Bernabé alias "el chino" platero.
Luis Herrera (á) "Colorado". Jornalero.
Un muchacho llamado Martinez,de oficio dulcero.

Los demás hasta 32 son individuos cuyos nombres no se han podido averiguar.

United States Consulate General

at Havana

Consul Gen Lee
Report re damages
to Americans in Cuba

Pub

DEPARTMENT OF STATE.

WASHINGTON.

D. C.

No. 201.

U. S. CONSULATE GENERAL.

HABANA, October 31,1896.

Mr. LEE

TO THE

DEPARTMENT of STATE.

Receipt of instructions, and Circular.

No. 2 0 1.

U. S. CONSULATE GENERAL.

HABANA, October 31,1896.

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:-

I have the honor to acknowledge the receipt of the Department's instructions from No.115 of October 5th to No. 147,October 27; also the circular of the Department of State dated October 2nd, which has my attention.

I am,Sir,

Your obedient servant,

Consul General.

CONSULAR BUREAU.
SENT.

No. 202.

U. S. CONSULATE GENERAL.

HABANA, October 31, 1896.

INDEX BUREAU
REC'D.
NOV 6 1896
DEPT. OF STATE

Mr. LEE

TO THE

DEPARTMENT of STATE.

Advising having obtained leave of absence, and departure for United States.

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2 enclosures.

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No. 2 0 2.

U. S. CONSULATE GENERAL.

HABANA, October 31,1896.

Hon: William W.Rockhill,

Assistant Secretary of State,

Washington. D. C.

Sir:

Availing myself of the leave of absence with permission to visit the United States,granted me by the Honorable Secretary of State,I now have the honor to advise you that I shall leave for New York,by American steamer "VIGILANCIA",tomorrow,and consequently my leave should count from tomorrow's date.

During my absence the office will be in charge of Mr. JOSEPH A.SPRINGER,U.S.Consular Clerk and Vice Consul General.

1/ I enclose herewith copy of agreement made with him regarding compensation during my absence.

I also enclose Mr.SPRINGER'S receipt for the Cypher Code No.26,of the Department.

2/ My address while on leave in the United States will be care of the Department of State, Washington.D.C.

I am, Sir, your obedient servant,

Consul General.

-----o-----

Enclosures.

1.Agreement with Mr.SPRINGER.

2.Receipt for Cypher Code.

No.1. Enclosure with Despatch No. 2 02.

U. S. CONSULATE GENERAL.

HABANA, October 31,1896.

IT IS HEREBY AGREED ,between FITZHUGH LEE,Consul General of the United States at HABANA, Cuba, and JOSEPH A.SPRINGER, U.S.Consular Clerk and Vice Consul General,that during the absence of the first named under present leave,as granted by the Department of State,the last named shall receive in addition to his compensation of consular clerk,the entire amount of notarial and un-official clerical fees collected,of which he ordinarily receives the one half; and hereby waives all claim to the salary of the consul general during his statutory leave of absence

WITNESS our hands and the seal of this Consulate General,date as above.

Fitzhugh Lee
Consul General.

Joseph A. Springer
Consular Clerk
Vice Consul General.

Enclosure No. 2.With Despatch No.202.

UNITED STATES CONSULATE GENERAL

HABANA, CUBA October 31, 1896

I have this day received from FITZHUGH LEE, Esquire, U.S.Consul General at HABANA, the CYPHER CODE of the DEPARTMENT of STATE, No.26 , together with the APPENDIX HOLOCRYPTIC CODE, NO.26 ; for which I have given him duplicate receipts.

Vice Consul General.

-----o-------

No. 203.

Jill

U. S. CONSULATE GENERAL.

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HABANA, November 4th. 1896.

Mr. ~~[illegible]~~ Springer,

TO THE

DEPARTMENT of STATE.

Reporting the departure on leave of absence of Consul General LEE.

No. 203.

U. S. CONSULATE GENERAL.

HABANA, November 4th.1896.

Honorable W. W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honor to inform the Department that under leave of absence granted by the Secretary of State, Consul General Lee sailed for New York on Sunday noon, the first instant, on board of the American steamship "Vigilancia".

I have consequently assumed charge of the Consulate General, from date of the first instant.

I am, Sir,

Your obedient servant,

Frederick Springer

Vice Consul General.

No. 204.

ASSISTANT SECRETARY
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U. S. CONSULATE GENERAL.

HABANA, November 5th.1896.

Mr. SPRINGER

Acknd. Nov. 20.

Mr Secretary

TO THE

DEPARTMENT of STATE.

Transmitting the statement of Mr. Craycraft.

One Enclosure.

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No. 204.

U. S. CONSULATE GENERAL.

HABANA, November 5th.1896.

Honorable W. W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honor to transmit herewith copy of a statement made before me by Mr.Frederic L. Craycraft,an American residing in this Province engaged in the care of an apiary, respecting the treatment he had received on the 4th.instant by Spanish forces,cavalry,which he was informed belonged to the Regiment of Pizarro.

For prudential reasons Mr.Craycraft does not wish any action taken to represent this affair to the Government here, but desires that his own Government be informed.

I may add that Mr.Craycraft is personally known to Consul General Lee as a reliable and steady American.

I am,Sir,

Your obedient servant,

Vice Consul General.

Enclosure:-

Mr.Craycraft to Mr.Springer,November 5th.1896.

Enclosure with Despatch No 204. Novr 5th, 1896.

HAVANA, Nov. 5th. 1896.

Joseph A Springer, Esq.

U. S. Consul General of the United States.

Havana.

Sir:-

Yesterday morning between 9 and 10 A.M., while attending to my business as Administrator of the farm "Bocalandro", situated "termino municipal de Tapaste", jurisdicion of Jaruco, province of Habana, I heard firing in the direction of the pike road at the entrance of the farm, and within a few minutes three Insurgents passed by the farm pursued by the Spanish cavalry, and I was informed it was the cavalry of the "Pisarro" regiment

At the time they passed I ordered the family and employees to close the doors and to remain inside. After the two first companies of cavalry had passed I recollected having a fine horse tied near the house, and went out to bring him in when more cavalry forces came suddenly upon me. I showed my American citizenship papers as well as a certificate of the ownership of the horse, which was taken by one of the officers of the company who took him away with him. While standing in front of my house I was surrounded by some of the same forces. The officer commanding addressed me in an abusive and insulting manner, and asked me what I was doing there. I then showed himm my citizenship papers, and told him that I was Administrator of the farm. He then ordered me to walk ahead. I then told him that I was in my own house, and that I had nothing to do with the Insurgents, whereupon he struck me with his saber over the head, cutting through the rim of my straw hat, down to my shoulders, drawing blood. He then demanded all the money I had, and I gave him about one hundred dollars, all I had in the house. Then he threatened to kill all and burn the house. When I entered the house to give him the money he used very

abusive and insulting language to the ladies. When he departed he made another thrust at me with his saber but did not reach me. At the same time I heard screams from a house in the vicinity and a shot fired. I went afterwards in that ~~direct~~ direction to ascertain what had happened, and the lady of the house - her husband being absent - told me that when the cavalry forces arrivedthe family were eating breakfast accompanied by a neighbor whose name was Cheo Guerrero who was killed in the kitchen and dragged to the door and afterwards hacked to pieces in a most shocking fashion. I saw him lying on the ground in front of the door of the kitchen, and was also told by the lady of the house that a young negro in addition belonging to the same house had been killed.

I am, Sir,

Your obedient servant,

(signed) Frederic L. Craycraft.

2D ASSISTANT SECRETARY.
Mrs. Dft aaa
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No. ~~205.~~

U. S. CONSULATE GENERAL.

HABANA, November 6. 1896.

Mr. ~~LEE~~ SPRINGER

TO THE

DEPARTMENT of STATE.

Case of Oscar Cespedes.

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One enclosure.

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No.205.

U. S. CONSULATE GENERAL.

HABANA, November 6th,1896.

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

With reference to previous despatches,numbers 122, 127 and 131,of September 10th,12th,and 16th,respectively, relative to the case of OSCAR CESPEDES, I have now the honor to transmit copy of a communication from the Secretary of the General Government,who states that the Captain General informs the Governor General that he has inhibited cognizance in the proceedings of summary trial commenced against CESPEDES, and has ordered the case to the ordinary jurisdiction of the Court of Instruction at Alfonzo XII,the accused remaining in confinement at San Severimo Fort,in Matanzas,at the disposition of said Court.

It will be observed from said communication that the Governor of Matanzas is ordered to transmit to the said Court copies of the parts corresponding,(of the proceedings,) presumedly of the already initiated military proceedings.

Against similar action in the case of SANGUILY,when

No.

U. S. CONSULATE GENERAL.

HABANA,

transferred to the civil jurisdiction,as reported by me in Number 2502,of May 7th.1895,the Department of State instructed me by telegram dated May 21st.to file a protest declining to recognize the validity of the military jurisdiction in preliminary stage or at any stage of the proceedings.

As the communication received with respect to Cespedes is not quite explicit upon this point,I will wait for your instructions in the premises.

I am,Sir,

Your obedient servant,

Joseph A. Springer.

Vice Consul General.

One Enclosure:-

The Secretary of the General Government to Mr.Springer, November 4th.1896.

No. 1. With Despatch No.205.

U. S. CONSULATE GENERAL.

HABANA, November 6th,1896.

TRANSLATION.

GENERAL GOVERNMENT of the ISLAND of CUBA.

SECRETARY'S OFFICE.

To the Consul General of the United States in this city.

Sir:

His Excellency the Captain General in a communication dated 31 October last says to His Excellency the Governor General,as follows:

"Excellency: In reply to the polite communication of "Y.E.dated the 24th instant,relative to the prisoner of "war Mr.Oscar Cespedes y Figueredo,an American subject "(citizen),I have the honor to inform you that by a de- "cree duly passed upon of the 19th instant,I have in- "hibited,with respect to this individual,cognizance of the "summary court martial which was begun against him and "one other,in favor of the ordinary jurisdiction and "Court of Isntruction of Alfonso XII,and under the same "date,and for the sake of brevity,the Military Governor of "Matanzas was ordered to transmit to said Court copies of "corresponding parts(of the proceedings)(testimonio de "lugares correspondientes) placing the accused at its dis- "position in San Severino Fort,where he is at present.

By order of His Excellency I have the honor to transmit the foregoing to you for your information and in answer to your communication of the 23rd of said month of October upon the subject.

God guard you many years. Habana,Nov.4th,1896.

(Signed) Marques de Palmerola.

No. 206.

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U. S. CONSULATE GENERAL.

HABANA, November 7th, 1896.

Mr. ~~LEE~~ Springer

TO THE

DEPARTMENT of STATE.

Case of Esteban Cespedes (colored) expelled for ñañiguismo.

No. 206.

U. S. CONSULATE GENERAL.

HABANA, November 7th, 1896.

Honorable William W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

Sir:

I have the honor to inform the Department of the following circumstances respecting the case of Esteban Cespedes (colored) a citizen of the United States,who was arrested on the 13th ultimo.

Cespedes was arrested during a raid made by the police of this city about the 13th ultimo,upon the ñañigos and their meeting places - (ñañigo is the name applied to members of a secret society composed generally of negroes,mulattoes and low whites of the criminal classes,and is similar to the Voodoo of the South,especially New Orleans city)- ; he applied to this office stating that he was an American citizen,and it being proved that he was naturalized in Key West on July 11,1891,and registered in this office since Jany.1892,the Government was advised to that effect,the nature of the charges against him asked for,and all the rights pertaining to Americans under the treaty, claimed for him,with such effect that under date of the 29th ultimo the Governor General advised this office that Cespedes would be expelled from the Island.

He has consequently been deported to Key West by the steamer "Olivette,which sailed to-day noon.

I will add that 180 of the unfortunates charged with Ñañiguismo ,were sent to Fernando Poo on the 30th ult.and Cespedes was the only one that escaped that sentence.

I am,Sir,your obt.servant.

Leonard A. Springer

Vice Consul General.

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U. S. CONSULATE GENERAL.

HABANA, November 7th, 1896.

Mr. Secretary

Mr. ~~XXXX~~ SPRINGER,

Secretary of State
NOV 11 1896

TO THE

DEPARTMENT of STATE.

File

Arrest of RAMON CRUCET, an American citizen, at Colon on the 1st instant.

No. 207.

U. S. CONSULATE GENERAL.

HABANA, November 7th,1896.

Hon: William W.Rockhill,

Assistant Secretary of State,

Washington. D. C.

Sir:

I was informed on the 3rd instant,by a letter from Mr.LUIS E.CRUCET, of the arrest at COLON of his brother, Mr.RAMON CRUCET y RADILLO, a citizen of the United States, and his incarceration at that place,"incomunicado",for causes not stated. This occurred on the 1st instant.

I immediately addressed a communication to the Governor General,asking to be informed of the reasons for this arrest, the nature of the charges against Mr.CRUCET, and claimed for him all the rights due him under the treaty and protocol. I have not yet received a reply.

I am, Sir,

Your obedient servant,

Vice Consul General.

Ack + file

No. 208.

Secretary of State.
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U. S. CONSULATE GENERAL.

HABANA, November 12, 1896.

Acked Nov. 19.

Mr. [redacted] Springer

TO THE

DEPARTMENT of STATE.

Arrest of LOUIS LAY, a young American, during a police raid upon a social club in Regla.

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One Enclosure.

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No. 208.

U. S. CONSULATE GENERAL.

HABANA, November 12th, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

Mr. LOUIS LAY, a young man 18 years of age, the son of well known American residents of this city, was arrested on the evening of the 9th instant, during a raid by the police upon the social club, "El Liceo", of Regla, upon which suspicion seemed to rest that it was inimical to Spain. A search of the place resulted in the discovery of several packages of cartridges, lists of names and cuttings from newspapers with portraits of Cuban leaders of the last and present insurrection. The servants of the Club and several persons engaged in playing cards, among whom was young LAY, were arrested and sent to the "Cabaña" fort.

Being informed that Mr. LAY was not a member of the Club nor even a habitué, but was accidentally present at the time of the raid, I addressed a communication to the Governor General asking for his release,--- but added, that if there were charges against him of a serious nature, I claimed for him all the rights and privileges to which he was entitled as an American, under the treaty with Spain and the Protocol of January 12, 1877, and trial by the ordinary jurisdiction.

In an interview to-day with the Secretary of the General Government, he gives me to understand that Mr. Lay will be released within a day or two.

I am, Sir, your obedient servant,

Joseph A. Springer

Vice Consul General.

1 Enclosure: Mr. May to Mr. Springer, Nov. 10.

Enclosure No.1.

With Despatch No.208.

Habana, November 12.1896.

Copy.

Habana, November 10.1896.

Mr.J. A. Springer,

U.S.Vice Consul General,

Habana.

Sir:-

I have to inform you of the arrest of my son Louis, 18 years of age, by the authorities of the town of Regla, under the following circumstances.

At 9:30 o'clock last evening he was with some friends in the Liceo Club of Regla engaged in playing cards. The Police authorities suddenly appeared and arrested all present, among them my son. He is not a member of the Club, and I do not know that he has been guilty of any offence.

I beg that you will ascertain the reasons of his arrest and endeavor to obtain his release.

I remain very respectfully,

Your obedient servant,

(signed) G. L. Lay.

---o---

Ack + file

No. 209.

Secretary of State.
NOV 17 1896

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HABANA, November 12th, 1896.

Rec'd Nov. 19.

Mr. [redacted] Springer

TO THE

DEPARTMENT of STATE.

Case of RAMON CRUCET, arrested at Colon for publicly censuring acts of the Government, will probably be expelled.

3 Enclosures.

No. 209.

U. S. CONSULATE GENERAL.

HABANA, November 12th, 1896.

Hon: William W. Rockhill,
Assistant Secretary of State.
Washington. D. C.

Sir:

With reference to my despatch No.207 of the 7th inst, respecting the arrest at Colon on the 1st November of Mr. RAMON CRUCET, an American citizen, I have now the honor to inform the Department that this Government in reply to my note on the subject, states that CRUCET was arrested at Colon for having publicly censured the acts of the Spanish Government, thereby violating the Decree of General WEYLER of the 16th February last. Mention is also made of a letter of serious import found on his person at the time of the arrest.

I have received a letter from CRUCET dated the 4th inst, in which he attributes his arrest as due to denunciation by a bar-keeper with whom he had exchanged a few phrases upon public topics.

In an interview to-day with the Secretary of the General Government he gives me to understand that Crucet will be expelled from the Island.

I am, Sir, your obedient servant,

Vice Consul General.

3 Enclosures:-

1.- The Secretary of the General Govt. to Mr. Springer, Nov. 11.

2.- Extract from Decree of Feb. 16, 1896.

3.- Mr. Crucet to Mr. Springer, Nov, 4.

Enclosure No. 1-
With Despatch No. 209-
Habana, November 12.1896.

Copy-translation.

General Government of the Island of Cuba,

Office of the Secretary General.

To the Consul General of the United States

of America, in this city.

Sir:-

In reply to your polite note of the 3rd.instant, relative to the American citizen Mr.Ramon E.Crucet, I have the honor to inform you, by order of H.E.the Governor General, that having asked the Civil Governor of Matanzas for a report respecting said person, he states under yesterday's date that he is informed by the Chief of Police of the Province, the celador (constable) of Colon arrested Mr.Crucet for having publicly censured the acts of the Government, and finding on him at the moment of his arrest a letter whose contents were of serious import; also violating the Decree of the General in Chief of 16th.February last.

x x x

God guard you many years, Habana, November 11.1896.

(signed) Marquis de Palmerola.

x x x

HABANA, February 16th, 1896.

(Signed) VALERIANO WEYLER.

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Enclosure No. 2.

With Despatch No. 209.

H A B A N A , November 12th,1896.

EXTRACT from the DECREE dated Feb'y 16th,1896.

(Note: This Bando was transmitted to the Department in Dispatch No. 2780, of February 21st,1896.)

I, VALERIANO WEYLER, etc,etc,

DO HEREBY ORDER and COMMAND :

That all those who are comprised in the following articles,among other cases prescribed by law, shall be subject to military jurisdiction :-

1.-- Those who invent or publish by any means whatsoever,news or reports directly or indirectly favorable to the rebellion,shall be considered as guilty of offence against the safety of the Country,comprised in Article 223,case 6th,of the Code of Military Justice, whenever they thereby aid the operations of the enemy.

x x x

6.-- Those who by word of mouth,by means of the press, or in any other manner,lower the prestige of Spain,of the Army,of the Corps of Volunteers or Firemen or any other force operating with the army.

x x x

HABANA, February 16th,1896.

(Signed) VALERIANO WEYLER.

Enclosure No. 3
With Despatch No. 209.
Habana, November 12.1896.

Translation.

Colon, November 4.1896.

Mr. Joseph A. Springer,

Dear Sir:-

Since the ist. of this month, the day upon which I came to this town on my way to Yaguaramas, I was arrested by the celador (police Constable) and thrust into jail for the most foolish reason possible.

It seems that last September when I made another trip here, while waiting my train at the station, I asked for a drink at the bar, and got into conversation with the barkeeper. I told him that I had read in the "Diario de la Marina" that the Moors had killed the deported Oscar de la Reyes and also wounded several of the crew; and afterwards, I I also told to him that I had heard say that he had been deported in consequence of some private revenge; that is, some one denounced him to satisfy a grudge, and it plain that the investigations made proved him guilty, and he was consequently banished.

Just this relating of a fact that I had heard spoken of has been sufficient reason for this barkeeper to denounce me, accusing me as disrespectful to the Spanish Government, and calumniating me that I had expressed myself in terms of censure against the acts of this Government.

When I was arrested, I stated that I was an American citizen, and so it appears in the proceedings against me; nevertheless, I am being tried by military procedure.

I trust you will see the Chief of Staff, or whoever is the proper party, that in view of the facts, I may be released; and if, in spite of the little importance of this matter, they believe I should be tried, that you will see that I am treated as an American citizen, that is, due trial by the

ordinary tribunals.

I look for a prompt reply, and am meanwhile,

Yours,

(signed) Ramon Crucet.

1892
ALL LINEN

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CRANE'S

No. 210.

Secretary of State.
NOV 17 1896

The Secretary

ASSISTANT SECRETARY
NOV 17 1896
DEPARTMENT OF STATE.

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HABANA, November 12th, 1896.

Mr. ~~DEX~~ SPRINGER,

File

TO THE

DEPARTMENT of STATE.

Current events.

---o---

No. 210.

U. S. CONSULATE GENERAL.

HABANA, November 12th,1896.

Hon: William W.Rockhill,
Assistant Secretary of State,
Washington. D. C.

Sir:

The press of this city has been more or less occupied during the past week with comments upon the constitution of the National Committee of Defense of the Island of Cuba.

On Sunday last,upon invitation of the Regional Governor, representatives from each of the political parties of the Island met at the Palace of the Regional Government; the Marquis de APEZTIGUIA,and the Marquis PINAR del RIO,for the conservative or Union Constitucional party; P.RABELL, SEGUNDO ALVAREZ and NICOLAS RIVERO,for the Reformists, and JOSE M. GALVEZ, RAFAEL MONTORO and JOSÉ del CUETO,for the Autonomists. The Mayor of the city,ANTONIO QUESADA,although absent,desired to be considered as present with the conservatives,and in accord with the idea of the meeting. It was however admitted by the leaders of the parties,that they did not bring to the meeting the political representation of their respective parties,which would have required the convocation of general meetings,and therefore they acted without authorization of their component Juntas or Boards of Direction, but they personally accepted the highly patriotic idea of Governor PORRUA, and agreed to lay aside all their political differences,to furl the flags of their respective party creeds,and rally around the national flag of Spain,and issue a Manifest to the whole country,for a vigorous defense of its honor,its territorial integrity and the restoration to civilization and progress of this Island,now being devastated by an iniquitous insurrection; that there should be but one common mind and

No.

U. S. CONSULATE GENERAL.

~~HABANA,~~

idea, the defense of Spain and an immediate and decisive triumph over her enemies. The Governor General was named President, the Committee called upon him, and a number of sonorous and patriotic speeches were pronounced; telegrams exchanged with the Home Government, the Queen Regent and CANOVAS, and a Manifest drawn up addressed to the country at large.

However, I am privately advised that this movement is due to some coercion and deceives no one. Its result and efficacy will be the same as other similar manifestations of Spanish unity and patriotism in Cuba.

General WEYLER, in obedience to orders from Spain, as is said, has taken the field in person. He went to Mariel Sunday night, arrived Monday morning and immediately put himself at the head of a column 6,000 strong, and on horseback, marched off to meet the enemy. Considerable anxiety is felt to know the result of his operations, but beyond the foregoing facts, and an extra published last evening, nothing certain is known. The extra reads : "Official:-General WEYLER is in "the Rubi.(mountains.) At Cabañas are General ECHAGUE, "7 officers and 47 privates, wounded. They will be "transferred to the Hospital Alfonso XIII of this city, "by a special steamer."

No further particulars can be learned, but one accustomed to Spanish bulletins regarding the insurrection can read between the lines that Gen: WEYLER has sufferred a reverse.

I am, Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

Nov 12.96

No. 211.

Secretary of State. NOV 17 1896

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U. S. CONSULATE GENERAL.

HABANA, Nov. 12. 1896.

Mr. SPRINGER

~~Mr. LEE~~

TO THE

DEPARTMENT of STATE.

Condition of the "Competitor" Prisoners.

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No. 211.

U. S. CONSULATE GENERAL.

HABANA, November 12th.1896.

Honorable William W. Rockhill,
Assistant Secretary of State,
Washington.

Sir:-

I have been informed by the sister of Laborde,one of the "Competitor" prisoners,that he was yesterday afternoon at the time of her weekly visit to him,seized with a cerebral congestion and removed to the old Military hospital of this city.

Charles Leavitt,another of the prisoners was removed several days ago to the same hospital supposed to be ill with yellow fever,but it seems to be a sort of prison fever induced by confinement and insufficient food.

Ona Melton,it is stated,is greatly reduced for the same reasons.

I am,Sir,

Your obedient servant,

Vice Consul General.

Cuba N.

ASSISTANT SECRETARY
NOV 13 1896
DEPARTMENT OF STATE

TELEGRAM RECEIVED.

1 Ma

From Havana 12 21

Nov 13th, 1896.

Assistant Secretary State, Received 10 21 M.

Washington, D.C.

Customs authorities yesterday again commenced levy on Hidalgo intendente says no telegraphic instruction received from Madrid suspend said proceedings. Cannot himself extend suspension he granted for forty-eight hours twenty ninth ultimo now excessively prolonged instruct by cable the U.S. Minister at Madrid and at once move Please 18921 39424 38413 14847
Suspension of the proceedings
5/1888 of 44731

Springer

Refering my cable of 2d ult.

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U. S. CONSULATE GENERAL.

HABANA, November 14th.1896.

File

Mr.SPRINGER
~~Mr. LEE~~

TO THE

DEPARTMENT of STATE.

"COMPETITOR"Prisoners.

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Transmitting to Court certificates proving ONA MELTON'S character of a newspaper correspondent.

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No.212.

U. S. CONSULATE GENERAL.

HABANA, November 14.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honor to acknowledge the receipt of your instruction No.152.of 28th.ultimo,covering certified copies of affidavits relative to the appointment of ONA MELTON,one of the "COMPETITOR" prisoners,as correspondent of the "FLORIDA TIMES UNION",of Jacksonville.

These documents,after having been translated and a certificate of same affixed,I transmitted on the 11th. instant to the Governor and Captain General,with the request that they be forwarded to the Court having cognizance of MELTON'S case,as they had been furnished by the Department of State,to be of use to him to establish before the Court his character of a news-paper correspondent.

I have received a note from the Secretary of the General Government,that the documents were transmitted the same day to the Commandant General of Marine,Admiral commanding this naval station,being the authority having cognizance of the case of the seizure of the Schooner "COMPETITOR".

I am,Sir,

Your obedient servant,

Frank D. Pettingill

Vice Consul General.

No. 213.

ASSISTANT SECRETARY
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HABANA, November 14th, 1896.

Mr. [illegible] SPRINGER

TO THE

DEPARTMENT of STATE.

Levy by customs authorities on Messrs HIDALGO & CO, for collection of executory fees, alleged due in connection with fines imposed on steamers of the "WARD" Line, of New York.

Confirming telegram sent and acknowledging receipt of telegram from the Department.

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No. 213.

U. S. CONSULATE GENERAL.

HABANA, November 14.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

Referring to the demands of the Customs' authorities for executory or deputies' fees, from Messrs.HIDALGO and Company, Agents of the New York and Cuba Mail Steamship Company, as reported in despatch No.193 of 24th.ultimo and telegram of the 27th., and the statement in your instruction No.156 of the 2nd.instant, that our Minister at Madrid was instructed by cable on 28th.ultimo to obtain a telegraphic instruction to the authorities in Cuba to suspend the collection of the said costs, pending negotiation of the matter,

I have now to advise the Department that I was notified by Messrs.HIDALGO and Company, on the afternoon of the 12th.instant that the Customs officers had called again to make an execution for the said fees.

I sent a note to the Intendant General of Finance, asking to be informed if he had yet received any telegraphic instruction from his Government in Madrid respecting the suspension of the proceedings carried on for collection of said fees, in the understanding that the United States Minister at Madrid had been cabled to ask for such an order of suspension.

I received his reply to the effect that no telegraphic instruction whatever had been received at the Intendancy General, referring to the suspension of proceedings against Messrs.HIDALGO and Company, and he further stated that the period of 48 hours delay granted by him having long since

No. 213

U. S. CONSULATE GENERAL.

HABANA,

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expired,it was not within his attributions to extend it.

I consequently transmitted the following telegram, which I confirm :-

Habana, November 12,1896.

"Assistant Secretary of State .- Washington. D.C.

" Customs authorities yesterday again attempted "levy on HIDALGO. Intendente says no telegraphic in- "struction received from Madrid suspend said proceed- "ings. Cannot himself extend suspension he granted for "forty eight hours October twenty ninth now excessive- "ly prolonged. Please instruct by cable the United "States Minister at Madrid ask once more suspension "of the proceedings. (Signed) SPRINGER."

I learned subsequently that the levy on the office safe and furniture of Messrs HIDALGO x CO was carried out. The next step will be an order to sell at auction.

I have to acknowledge the following telegram received last evening:-

" Replying your cable in reference WARD Line suitable "instructions have been cabled Madrid. --ROCKHILL.

I am, Sir,

Your obedient servant,

Joseph D. Springer

Vice Consul General.

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U. S. CONSULATE GENERAL.

HABANA, November 14th, 1896.

To Madrid Nov 21 / 2

Mr. ~~KEE~~ SPRINGER

TO THE

DEPARTMENT of STATE.

DIPLOMATIC
NOV 19 1896
BUREAU.

Transmitting protest and claim for indemnity of Mr. DOROTEO HERRERA as the representative of the E.H.GATO CIGAR COMPANY of New York, for prohibition of this Government to allow the exportation of certain tobacco.

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One enclosure.

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No. 2 1 4.

U. S. CONSULATE GENERAL.

HABANA, November 14th, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

I have the honor to transmit herewith, copy of a statement embodying a protest and claim for indemnity, made before me by Mr. DOROTEO HERRERA, of this city, the representative of the E.H.GATO CIGAR COMPANY of New York, against the Spanish Government of this Island for prohibiting the exportation of 617 bales of tobacco, it being alleged that he hasnot complied with the requirements of the Decree of General WEYLER of the 16th May, last, prohibiting after ten days fromits date, the exportation of tobacco grown in the provinces ofHabana and Pinar del Rio, nor that he had proven the purchase of said tobacco by contract, prior to the said decree.

I transmit also copies of the original documents filed with said protest, in order that if the Department please, they may be forwarded to Madrid and gain time in the consideration of the matter.

I am, Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

Enclosure:

Copy of Mr. HERRERAS protest, and documents annexed thereto.

Enclosure No.1.

With Despatch No.214.

HABANA, November 14th.1896.

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copy.

U.S.Consulate General,

Habana, November 10.1896.

BE IT KNOWN, that on this tenth day of November, 1896, before me, the undersigned, Vice Consul General of the United States at Habana, Cuba, personally appeared Mr.DOROTEO HERRERA, of this city, and duly sworn, declared as follows:-

That he is the representative in this city of the American firm of the E.H.GATO CIGAR COMPANY, of New York; residing at No.113 San Miguel, where he has up to the 14th.October last, had a tobacco storehouse to receive, pack and ship the tobacco of said firm.

That as the said representative of the E.H.GATO CIGAR COMPANY, he has purchased considerable quantities of tobacco in the tobacco districts of the Island, which he shipped ~~repeatedly~~ regularly to said Company in New York; intended to be used in its cigar making factory.

That previous to the publication of the Decree of the Captain General of Cuba, dated the 16th.May, last, which prohibited the export of all tobacco from the provinces of Habana and Pinar del Rio, he had already purchased some 32,333 "matules", or bundles of tobacco in the Habana Province, equivalent to about 800 bales, which this deponent can prove by reference to his books of account, correspondence etc.

That on the said date, May 16th. said tobacco was still in its crude or unprepared state of "matules", the condition in which it is received from the country, and in order to be put into proper shipping condition, it required certain processes and manipulation, such as fermentation, wetting, stripping, assorting, packing and baling, each of which processes requires more or less time, and it was manifestly impossible to get ready the said tobacco for shipment within the ten

days allowed by the Decree:

That he consequently received orders from the said Company to suspend all further operations and prepare the tobacco already purchased, for shipment, confident that there would be no objection on the part of this Government, as he could prove that the same was purchased previous to the Decree.

That being ready to ship said tobacco, on the 3rd. September last he petitioned the Governor and Captain General for permission to export 800 bales of said tobacco, and annexes herewith a copy and translation of his said petition.

That under date of September 10th, he received a reply from the Intendant General of Finance, to whom his petition had been referred by the Governor and Captain General, refusing him the authorization to export, on the grounds that he had not sufficiently proven in a legal manner the fact of the said purchases within the period prior to the Decree:

That he further under date of the 14th. September, petitioned the Court of First Instance of the Cathedral District, of this city, to issue an order for the examination of his books of account, correspondence, telegrams etc., by a Notary to whom said books would be exhibited, in order to prove to the Intendant General of Finance the facts regarding the purchase of the said quantity of "Matules", or be it 800 bales, prior to the publication of the Decree prohibiting the exportation of tobacco.

That on the 15th. September, by order of said Court, the Notary Public, Don JOSÉ A. RODRIGUEZ, made a careful and complete examination of his said books of account, correspondence etc. in the presence of witnesses, and drew up a notarial act to that effect, certified to by the Government Notary Public, Don FRANCISCO de CASTRO, which he annexes to this protest, together with a copy-translation of same.

That he therefore presented a second petition, addressed to the Intendant General of Finance, with which he

accompanied a certified copy of the notarial act referred to, asking for a re-consideration of the refusal of his first petition, and authorization to export six hundred and seventeen bales, which now resulted to be the total number of bales remaining from the number yielded by the "matules" the raw tobacco, which was 768 bales, he having been able to ship 151 of the same without any objection.

That under date of the 12th. October, he received a second communication from the Intendant General of Finance, again refusing to allow the exportation of the said tobacco belonging to the E.H.GATO CIGAR COMPANY of New York.

That he therefore, under the instructions of his said constituents, finding it impossible to continue business, or ship the tobacco referred to, he closed up the warehouse, returned his license to the Government, and deposited the 617 bales of tobacco in question in the warehouse of Messrs. F.BAURIEDEL and COMPANY, where it now remains; this was on the 14th. October last.

WHEREFORE, this appearer in the name of his said constituents the E.H.GATO CIGAR COMPANY, of New York, and as their representative, doth solemnly and truly protest against the action of the Spanish Government in the aforesaid premises, and against the infraction thereby of Art: Vll. of the Treaty between the United States and Spain of 1795, whereby the property belonging to American citizens has suffered detention or embargo; and that said firm, his aforesaid constituents, already has and may hereafter suffer considerable loss and damage and prejudice to its interests by reason thereof; and therefore said firm is considered to be entitled to an indemnity from the Spanish Government, to at least the value of the said six hundred and seventeen bales of tobacco, which he has been unable to ship; and the accessory loss and damages, all of which he estimates to be at least One Hundred Thousand Dollars, and interest thereon till time of payment; and doth hereby as said representative of said firm,

hereby make formal demand and claim upon the said Spanish Government for the said amount of indemnity/and such further relief as may be accorded in the premises.

(signed) DOROTEO HERRERA.

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U.S.Consulate General,)
Habana, November 10th.1896.)

BE IT KNOWN, that on this day, before me, the undersigned, U.S.Vice Consul General at Habana, personally appeared Mr.DOROTEO HERRERA, of this city, as the duly accredited representative of Messrs.E.H.GATO CIGAR COMPANY of New York, and declared that as such he subscribed and deposed unto the foregoing instrument, which is of the nature of a protest and claim for indemnity against the Spanish Government, and duly sworn, declared that the facts therein set forth are true.

(seal) WITNESS my hand and the seal of this Consulate General, this 10th. November, 1896.

(signed) JOSEPH A. SPRINGER.
Vice Consul General.

A true copy:-

Joseph A. Springer

Vice Consul General.

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No 2.

No 1

TRANSLATION.

To His Excellency the Governor and Captain General of this Island.

Excellency:

Don DOROTEO HERRERA, residing at San Miguel street number 113 in this city respectfully states to Y.E. as follows: That as the attorney of Messrs. E.H. Gato Cigar Co., established in the United States, he had purchased before the publication of Y.E.'s Proclamation of the 16th May last, 32.333 bundles of tobacco of the province of Havana, equivalent to about 800 bales, to be manufactured by my constituents: that the fact that on said date he possessed the said bundles can be proved by the receipts from the tobacco growers, stubs of bills of exchange and corresponding books: that on the said date, namely, 16th May, the said tabacco was in its raw condition as it is purchased inbthe country, and that in order to put it in condition for shipment it had to pass through the process known as selection (escogida) which requires several months; for which reason the undersigned was not able to ship the said tobacco within the ten days provided by Y.E.'s Proclamation: therefore, having now ready the said tobacco for the purpose of forwarding it to my constituents for its manufacture, I beg Y.E. to please authorize the exportation of the said 800 bales of tobacco.

This is an act of justice which I expect to obtain from Y.E. avoiding thereby serious damages to the interests of my constituents, who are under the protection of the laws of this country and of ruling international treaties.

God guard Y.E. many years. Habana, Sept. 3, 1896.

(Signed) pp. E.H. Gato Cigar Co.,

Doroteo Herrera.

No 2.

TRANSLATION.

I,Don JOSE AGUSTIN RODRIGUEZ y RODRIGUEZ,Officiating Notary,appointed to the Court of First Instance and Instruction of the Cathedral District,

Do hereby certify: that before me and it corresponding to me as alternate,are being continued the proceedings of voluntary jurisdiction commenced by Don Dorotec Herrera,as the attorney of Messrs.E.H.Gato Cigar Company,in order to prove in view of his books,certain matters referring to the acquisition of thirty two thousand two hundred and twenty three matules or bundles of tobacco,wherein appears the official letter,petition,presentation,order of court,notification and notarial act,and which are as follows:

OFFICIAL LETTER.- Intendancy General of Finance of the Island of Cuba,No.8331 (stamp in blue ink, Intendancy General of Finance. Letter sent:Sept.10'96). Having examined the petition presented by you in the name of the Messrs.E .H.Gato Cigar Company,established in New York,asking authorization to export thirty two thousand two hundred and thirty three bundles (matules) of tobacco equivalent to some eight hundred bales,

Considering,that however worthy may be the motives and other reasons alleged,it is not alone sufficient by what is said but it is necessary to prove it in legal form; and as it is not proved in an authentic manner, that the purchases were made within the period stated,His Excellency the Governor and Captain General,in conformity with what is proposed by this Intendancy General of Finance, has been pleased to disregard the pretension,as moreover the exportation of leaf tobacco grown in the provinces of Habana and Pinar del Rio, is strictly prohibited. Which by order of His Excellency I inform you for your knowledge and as the reply to the petition presented.

God guard you many years.Habana,September 10,1896.- (Signed) Emilio Pagoaga.- To Mr.Doroteo Herrera,San Miguel 113.

PETITION:- Your Honor: Mr.Doroteo Herrera as the attorney of Messrs.E.H.Gato Cigar Company of New York,before your Honor respectfully appears in the act of voluntary jurisdiction,and saith: That requiring to accredit at the Intendancy General of Finance of this Island,that thirty two thousand two hundred and thirty bundles (matules) of tobacco,equivalent to about eight hundred bales,marked E.H.G.C.C.,were purchased prior to the 16th May of this year,as appears from the books of this firm,which he is required to prove according to the communication of said Intendancy,dated the 10th instant, That in order to comply with said requirement it becomes necessary for your Honor to order that by the Notary,and in view of said books which this petitioner will exhibit to him,a certificate be made of the entries by which appear the purchases and ~~and~~ the dates of same of said tobacco,and when made that I be furnished with a certified copy thereof, in order to comply with what is ordered by the Intendancy.

Therefore,I respectfully beg that your Honor will issue the order in conformity with this petition,and your petitioner will ever pray,etc. Moreover: on account of the urgent character of this business,your Honor will please order it to be dispatched without waiting the alternate,as provided by art.431 of the Code of Civil Procedure; and your petitioner will ever pray,etc. Habana,Sept.14,1896.- (Signed) pp.E.H.Gato Cigar Co. Doroteo Herrera.---

PRESENTATION:- The foregoing petition together with the official letter of the Intendancy General of Finance has been presented on the 14th September by the undersigned. (Signed) Doroteo Herrera. Attest: Castro.

ORDER OF COURT:- Habana, September 14,1896. Presented the foregoing petition with the official letter of the Intendancy General of Finance, accompanying, and on account of urgency, and in conformity with what is requested in the note thereto,, Waive the assignment of this matter, and let the actuating notary appear at the business house of Mr.Doroteo Herrera and after an examination of the books, certify in due form as to the matters referring to the facts it is desired to prove. Thus ordered and subscribed by his honor the Judge.-Dr.D.Guillermo Bernal, Judge of First Instance of the Cathedral District.- Attest- (Signed) Guillermo Bernal.- Before me (Signed) Fco.de Castro.

NOTIFICATION:- On the same day I notified the foregoing order of court to Mr.Doroteo Herrera, reading it to him and handing him a copy subscribed by me.- Doroteo Herrera.- I attest - Castro.

ACT:- In the city of Habana on the 15th day of September, 1896, I, the Notary, appeared at San Miguel street number 113 and in the presence of D.Doroteo Herrera y Valdes, attorney of Messrs.E.H.Gato Cigar Company, for the purpose of practising the proceedings requested by said party concerned, and to this effect showed a copy-book of letters addressed by Mr.Herrera to his constituents, which book is numbered 2 and has 500 pages, of which 411 have been used. The first of the letters copied bears the date of 16 November ,1895, and the last one the 12th of the present month and year, among them there are on the pages which will be mentioned afterwards, the following letters relative to this matter, as follows: page one hundred and forty seven:- a letter dated 25th March, 1896, addressed to Messrs.E.H.Gato Cigar Company, in which Mr.Herrera informs the said firm that he has purchased two lots of tobacco in bundles (matules) and that he has others in ~~business~~ negotiation;- that he has paid

sundry prices for the tobacco of the lots of Felipe Quintero y Diego Diaz, stating further that he needs to be informed whther close the to the business with Cecilio Valiente.- On page 151 there is a letter signed also by Mr. Herrera, addressed to his constituents dated 28 March, 1896, containing memorandum of the tobacco purchased, namely: to Cecilio Valiente and Rafael Valiente, 150 bundles (matules) wrappers, 150 fillers; to Felix Morales, 55 bundles (matules) wrappers, and 55 fillers; to Juan Perez 300 bundles (matules) wrappers, and 300 bundles fillers, also 60 bundles wrappers and remainder of fillers; to Agustin Guerra 230 bundles wrappers, and 650 fillers; to Luis Aguilar 170 bundles wrappers,- on page 153 there is a letter dated 28th March last, stating the tobacco received on that date from Felix Morales: 30 bundles wrappers, and 30 bundles fillers; Rafael Valiente 63 bundles wrappers and 32 fillers; to Diego Diaz 187 bundles wrappers and 44 fillers; Felipe Quintero 290 bundles wrappers and 160 fillers and 245 bundles ground leaves. On page 156, a note of the bundles in possession of Gato's attorney, namely: 2843 bundles wrappers and fillers of different lots, which note is dated the 31st March, 1896. On page 165 there is a letter dated 4th April, 1896, addressed to the Messrs. Gato by Mr. Herrera, which, among other particulars, states that he has purchased from sundry persons, 1110 bundles wrappers and fillers. On page 172 a letter dated 8th April, 1896, addressed to Gato by Herrera, stating among other particulars having received in his store 1792 bundles wrappers and fillers. On page memorandum 179 a ~~letter~~ dated 10th April expressing the tobacco received in bundles amounting to 5792 of the latter. On page 180 a memorandum of the tobacco purchased up to April 10th last, namely, 5953 bundles wrappers and 7792 fillers. On page 219 there is a letter dated the 6th of May last from Mr. Herrera to the Messrs.

Gato stating among other particulars having received 2964 bundles wrappers and fillers from sundry sellers. On page 221 a letter addressed to Gato by Herrera on the 6th May last, relative to having purchased from different sellers 1423 bundles wrappers and fillers; also having done some tobacco business with Manuel Garcia Gonzalez and having purchased from Agustin Delgado 108 bundles fillers. On page 224 a letter addressed to Gato by Herrera dated 9th May last, stating having received from sundry sellers 2623 bundles wrappers and fillers and having ordered some tobacco which will be received as soon as it is placed in the store. On page 226, a letter dated 9th May last to Gato from Herrera, stating having bought from Rafael Reina on the previous day a lot of tobacco. On page 230 advising under date of the 9th May last, having received that day at a late hour 1439 bundles wrappers and fillers. On page 236 a letter from Herrera to Gato, dated 13 May last, stating among other particulars the fact of having received and purchased 1096 bundles wrappers and fillers. On page 242 a letter dated 16th May to Gato from Herrera, stating among other facts that he had contracted with Juan Fernandez from 1900 to 2000 bundles wrappers and 3000 fillers. On page 278 a letter dated 30 may, that the contract which he (Herrera) was about to make with Juan Fernandez was not finally made on account of the Proclamation published the same day, 16th May, prohibiting the exportation of leaf tobacco. On page 253 a letter from Herrera to Gato dated 20th May in which the former asks the latter to be informed by cable "to load (ship) or not to load (ship)" referring to the tobacco which they had purchased, exhibiting a telegram dated the 27th signed "Gato", for Mr. Herrera reading: "ship(tobacco)purchased, continue to select (escogida)". On page 258 a letter dated 23rd May last to Gato from Herrera stating among other particulars, having received 4584 bundles wrappers and fillers. On page 272 a letter dated 27th May, from Herrera to Gato informing the latter of having received tobacco in wrappers

pers and fillers,in bundles to the extent of 3948. On page 289 a letter dated 6th June last, from Herrera to Gato, stating having received 737 bundles tobacco from Felipe Quintero and Santana Sanchez. On page 311 a letter dated 13th June last from Herrera to Carlos Cepero of San Antonio de los Baños reporting: "that since the Proclmation prohibiting to ship leaf tobacco,no business has been done,as it does not pay to make any purchases for sale in this market,and that Messrs.E .H.Gato Cigar Co., advises Herrera not to do any more business and to prepare the tobacco purchased previous to the Proclamation". On page 321, a letter dated the 24th June last, from Herrera to Gato stating having received from Blas Marquez, 775 bundles tobacco. On page 335 letter dated July 4th from Herrera to Gato, informing the latter that he (Herrera) is receiving bundles from Leonardo Molano,Jose Tolmo and Juan Arocha to the amount of 7515. Likewise Mr.Herrera,as attorney of Messrs .Gato exhibited two packbills of ages of stubs of exchange containing the name of the persons of whom purchases of tobacco had been made,who are Jose Diaz, Felix Morales,Rafael Valiente,Diego Diaz,Felipe Quintero,Juan Perez,Gustavo Alonso,Ramon Sarasa,Julian Cruz,Jose Camero,and the tenants of the latter,Antonio Marrero and Manuel Garcia Gonzalez, to the amount of 359 bundles referred to in the letter dated the 6th May,on page 221,Agustin Delgado,Ramon Concepcion, Manuel Perez,Jose Sanchez,Santana Sanchez,Jose Encinosa,Manuel Felipe,Ignacio Pujols,Jose Gonzalez,Francisco Hoyos,Ysabel Regla de Perez,Jose Victorino,Luis Aguilar,Jose Antonio Rodriguez,Pedro Morales,Martin Beltran,Isidro Rodriguez,Juan Ruiz, Cecilio Valiente and Agustin Guerra,Eustaquio Capote,Blas Marquez,Leonardo Molano,Juan Arocha and Jose Torres,the first of the dates of these purchases which correspond to document No. one is the 30th March,and the last date corresponding to document number 63 is the 14th May last. And finally Mr.Herrera exhibited as attorney aforesaid, a receipt dated May,1896,signed by Rafael Reina stating the sale to the Messrs Gato of 958

bundles of wrappers and fillers of tobacco,for the sum of $1478.60 and that this is the same tobacco referred to in the letter on page 226 before mentioned. And this proceeding is thereby terminated,all the documents exhibited remaining in possession of Mr .Herrera,who subscribed herete,together with the witnesses: Messrs.Benjamin Sousa y Armenteres,of age,bacheler and residing Neptune 154,and D.Alfredo Mentalvan y Benachea,native of San Juan de los Remedios,residing at No.5 San Ignacio street. At this point,Mr.Herrera exhibited the cask book number 2,of the transactions effected by him as the said attorney of Messrs.E.H.Gate Cigar Company,composed of 95 leaves,all of which have been used,containing entries from the 15th of August,1894,which is the firts,until the 1st Sept.of this year,and in which from pages 71 to 91 corresponding to the 1st April to July 15 of this year,appear the payments made to their respective owners,as shown by the packages of stubs previously referred to,of the amounts for the bundles of tobacco sold to E.H.Gate Cigar Co. up to the 14 May last. Mr.Doretee Herrera also declared that the tobacco in bundles which it is shown he has purchased up to the 14 May of this year,he had baled for shipment to his constituents,from bundle to bale,had yielded a product of 768 bales,of which he has made use of 151 bales,leaving in this storehouse 617,as also appears from the tally made of said bales whose value will be fixed by the owners Messrs.E.H.Gate Cigar Company,the said bales being marked E.H.G.C.C.- (Signed) Doretee Herrera,- B.Sousa,- Alfredo Mentalvan,- Attest: Francisco de Castro.

And in compliance with the order of this date to the petition of Mr.Doretee Herrera as the representative of Messrs. E.H.Gate Cigar Co.,,I issue these presents for delivery unto the said party. Habana,November 9th,1896.

(SEAL) (Signed) Jose A.Rodriguez.

I,the undersigned,Licentiate Don Francisco de Castro y

Flaquer, Government Notary Public in the District oef the Superior Court (Audiencia) of Habana do hereby authenticate the foregoing signature and scroll seal of Don Jose Agustin Rodriguez, by whom is legalized the foregoing certificate dated 9th instant, of the proceedings instituted by Mr. Doretee Herrera, as the attorney of Messrs. E.H. Gate Cigar Company, to certify with exhibition of his books, to certain matters referring to the purchase of 32,233 matules or bundlesef tobacco; and the said individual is, as he styles himself, officiating Notary of the Court Court of First Instance of the Cathedral District. Habana, Nov. 9th, 1896.

(SEAL) (Signed) Francisco de Castro.

We, the undersigned, Notary Public of the District of the Superior Court (Audiancia) of Habana residing in this city, do hereby legalize the foregoing seal, signature and scroll of Don Francisco de Castro y Flaquer, a Notary Public of this city, in the exercise of his functions on the day of the date hereof.

Habana, November 9th, 1896.

(Signed) Manuel Diaz Quibus. Alfredo Villageliu.

(SEAL OF THE COLLECGE OF NOTARIES).

No 3

TRANSLATION.

To His Excellency the Intendant General of Finance of this Island.

Excellency:

Don DOROTEO HERRERA, of age, residing at No 113 San Miguel street of this city, with cedula of the 11th class issued by the Mayor of the District where he resides; as attorney of Messrs. E.H. Gato Cigar Co, of New York, before Y.E. respectfully appears and states: That in Y.E.'s communication of the 10th instant, which duly certified, appears, in the one I enclose, the application I presented regarding authorization to ship tobacco to my constituents has been denied. The principal foundation of said denial rests in the fact of it not being fully justified, as stated in Y.E.'s said communication, that the tobacco was obtained previous to the provisions of the Proclamation prohibiting its exportation. In order to comply with said provision in the best manner, I exhibit a certificate of the notary of the ~~proceedings of the~~ Government, D. Francisco de Castro, containing the proceedings initiated to that end. It will be observed: that by order of Messrs. E.H. Gato Cigar Co, I purchased and received from several tobacco growers, from 30 to 40 thousand bundles of tobacco, wrappers and fillers, coming from this province. All these purchases were made previous to the Proclamation of the Governor General relative to the exportation of tobacco. Such is proved from the dates of the payment of their amounts and those on which I communicated them to my constituents. These gentlemen as soon as the aforesaid Proclamation was published, gave me orders to suspend all operations of purchasing and to prepare for shipment the tobacco already purchased, as appears from a telegram referred to in the certificate mentioned. Another proof of this assertion is the letter which appears on page 311 addressed to Mr. Carlos Cepero before

it was possible to foresee that there would be any need of making this justification. It will be seen therein that the undersigned did not accept propositions to purchase tobacco, because he was prohibited from accepting them by his constituents. Some tobacco, indeed, appears to have been received subsequent to the Proclamation, but that was due to a very just cause, namely: the great care that the tobacco requires in order to place it in condition for bundling and the time needed for the different processes through which it has to pass.

Therefore, it is to be inferred from the above stated: that the tobacco in question was purchased previous to the publication of the Proclamation prohibiting its exportation: that the purpose for which it was obtained was that of exporting it to the owners E.H.Gato Cigar Co., of New York, which I could do, being licensed as such an exporter: that after the publication of the Proclamation I have not made any operation whatever, limiting myself to preparing for shipment the tobacco I had already bought: and that all this has been duly proved by the enclosed certificate, authorized by the proper functionary worthy of full faith and credit.

In view thereof the authorization requested should be granted, because the Proclamation mentioned cannot retroact its effects nor refer to the tobacco purchased before the said Proclamation. The tobacco was obtained under the protection of provisions permitting its exportation and it is not just that subsequent provisions should be applied to the case, which do not comprehend it.

THEREFORE, I apply to Y.E. with the request that the necessary justification referred to in your communication of the 10th instant be accepted as hereby made, and in view thereof that the authorization solicited to ship to the order of E.H.

Gato Cigar Co.,of New York, of the 617 bales remaining of the bundles purchased by order of E.H.Gato Cigar Co.,of New York, be given.

I also beg to state as a further proof of good faith: that the total amount of the tobacco in bundles was 768 bales of which I was able to ship 151 without objection, and there remained in the store of E.H.Gato Cigar Company the 617 bales referred to in the application.

Havana, Sept. 1896.

(Signed) Doroteo Herrera.

No 4

TRANSLATION.

INTENDANCY GENERAL OF FINANCE of the ISLAND of CUBA.

In view of your second application as attorney of Messrs. E.H.Gato Cigar Company, of New York, requesting permission to export a certain amount of leaf tobacco, because you esteem that you made the necessary justification referred to in the communication of the 10th September last, in which the said permission to export 800 bales of leaf tobacco was denied.

Considering, that in the proceedings initiated by Don Doroteo Herrera the fact upon which he bases his claim is not proved, that is: the existence of a contract under which the said person was compelled to purchase & remit to E.H.Gato Cigar Co. the tobacco in question,

Considering, that only if such a contract existed previous to the date of the Governor and Captain General's Proclamation could the permission be given to export the tobacco within the period given in said Proclamation,

Considering, that even admitting the existence of that contract, Mr.Herrera has not proved such a fact, nor has he requested the permission to export said tobacco within the ten days provided by the Proclamation,

Considering, that the fact of acceding now to these subsequent claims would imply the infraction of an order of an obligatory and general nature, which having been issued in the interest of the public cannot be disobeyed whilst the authority who dictated it does not revoke it or modify it,

The Governor and Captain General in conformity with the proposition of this Intendancy has been pleased to reject your second claim and does not permit the exportation of the 800

bales of leaf tobacco.

I transmit to you the above by order of His Excellency as the result of your petition, presented as attorney of Messrs. E.H.Gato Cigar Co., of New York.

God guard you many years. Habana, 12 Oct., 1896.

(Signed) Emilio Pagoaga.

Doroteo Herrera, Esq. Attorney of Messrs. E.H.Gato Cigar Company of New York.

San Miguel street 114, Habana.

No. 215.

ASSISTANT SECRETARY
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U. S. CONSULATE GENERAL.

HABANA, November 14. 1896.

Mr. SPRINGER

~~Mr. LEE~~

Com. Bud
Asst. approved
WR

TO THE

DEPARTMENT of STATE.

Application for leave of absence of Mr. JAMES H. SPRINGER, United States Commercial Agent at Caibarien.

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No. 215.

U. S. CONSULATE GENERAL.

HABANA, November 14.1896.

Honorable William W. Rockhill,
Assistant Secretary of State,
Washington.

Sir:-

I have received an application for leave of absence for six weeks with permission to visit the United States, from Mr. James.H. Springer,United States Commercial Agent at Caibarien,district of San Juan de los Remedios,who desires to take a sea voyage for his health and have an opportunity to consult and American oculist for failing sight.

As the American Schooner "RED WING",leaves that port for Apalacicola and New York about the 16th.instant,Mr. Springer intends to take advantage of probably the only opportunity that will present itself for months,and take passage in that vessel.

The office will be left in charge of Mr.Pedro Rodriguez, who acted as Mr.Springer's substitute for about four months in 1891,while he had temporary charge of the Matanzas Consulate.

This is the second time only that he has asked for leave during a service of twelve years,and under the circumstances and well acquainted with the facts of his case,I have telegraphed him my approval,in accordance with paragraph 442 of Consular Regulations,but will also notify him that he must hold himself subject to the Department's order to return immediately to his post,should circumstances require it.

I am,Sir,your obedient servant,

Joseph T. Springer

Vice Consul General.

No. 216

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DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

HABANA, November 14,1896.

Mr. LEE

Recd. Nov. 19. Ans. Dec. 1. Acknowledge instruction to report at full length.

TO THE

DEPARTMENT of STATE.

Case of Mr. PETER E. RIVERY.

One enclosure.

No. 216.

U. S. CONSULATE GENERAL.

HABANA, November 14th,1896.

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

Complying with your instruction No.142 of the 22nd ultimo,I addressed a communication to the Governor Captain General asking for a prompt and conclusive investigation by the proper authorities,in the matter of the assault and insult sufferred from Spanish troops of the "Leon" battalion, by Mr.PETER C.RIVERY,an American citizen on his own estate "ESPERANZA", (S.de Cuba),on the 24th June last.

In reply the Acting Captain General informs me that the Captaincy General had no knowledge of the said aggression,but would ask for a report from the proper authorities, and decide in accordance therewith.

I am, Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

Enclosure:

The Marquis de AHUMADA to Mr.SPRINGER, Nov! 11th,1896.

Enclosure No.1.

With Despatch No.216.

H A B A N A , November 14,1896.

TRANSLATION.

ARMY OF OPERATIONS IN CUBA.

OFFICE OF THE STAFF.

Having no information in regard to the assault,which as you state,the American citizen Mr.Peter E.Rivery,has suffered at his own plantation,and which you communicate to me in your letter of the 9th instant,I have asked the proper authority for particulars in order to transmit them to you.

God guard you many years. Habana,Nov.11,1896.

(Signed) El Marques de Ahumada,

Captain General in charge.

To the Consul General of the United States.

No. 217.

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U. S. CONSULATE GENERAL.

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REC'D.
NOV 17 1896
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HABANA, November 14, 1896.

Mr. LEE

Recd Nov. 20. Com Bur Ass't Sec'y for appropriate action

TO THE

DEPARTMENT of STATE.

Case of Mr. JOSE SALVADOR FLURIACH.

---o---

One enclosure.

---o---

No. 217.

U. S. CONSULATE GENERAL.

HABANA, November 14th,1896.

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington, D. C.

Sir:-

With respect to your instruction No.134,of October 20th, regarding the complaint of Mr.JOSE SALVADOR FLURIACH,an American merchant of Santa Cruz del Sur,of not being permitted by the Commanding General of Manzanillo,to tow certain cedar lumber from Boca de Sevilla to Santa Cruz or Manzanillo for export, I am informed by the Acting Captain General,that the communication of this consulate general of the 10th inst: on the subject,was the first notice received of the matter; that he had asked for a report from the corresponding authorities,and according to the reply would inform this office of the decision reached in the matter.

I am, Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

Enclosure :

The Marquis de AHUMADA to Mr.SPRINGER,Nov: 11th,1896.

Enclosure No.1.

With Despatch No.217.

H A B A N A , November 14th,1896.

TRANSLATION.

ARMY of OPERATIONS in CUBA.

OFFICE OF THE STAFF.

Being informed by your courteous letter of the 10th instant of the claim of Jose Salvador Fluriach,received from the Department of State of the United States,and this being the first information I have on the subject,I have addressed the proper authority asking for a report thereon,and as soon as received I will have the honor to communicate it to you.

God guard you many years. Habana,11 Nov.,1896.

(Signed) Em Marques de Ahumada,

Captain General in charge.

To the Consul General of the United States.

No. 218.

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HABANA, November 14th, 1896.

Mr. DEE SPRINGER,

TO THE

DEPARTMENT of STATE.

Transmitting copy and translation of reply of the Intendant General of Finance to Messrs F.BAURIEDEL x CO,.

---o---

One enclosure.

---o---

No. 218.

U. S. CONSULATE GENERAL.

HABANA, November 14th, 1896.

Hon: William W.Rockhill,

Assistant Secretary of State,

Washington. D. C.

Sir:

With reference to previous despatches numbers 139 and 146 of September 18th and 25th, and 181 of October 16th, relative to the tobacco protest of Messrs F.BAURIEDEL & Co, at their request I now transmit copy and translation of the reply of the Intendant General of Finance to their petition of September 10th, for the information and use of the Department of State.

I am, Sir,

Your obedient servant,

Vice Consul General.

Enclosure:

Copy and translation of letter to BAURIEDEL x CO, of the Intendant General of Finance.

Enclosure No.1 with Despatch No.218. November 14th,1896.
TRANSLATION .

Intendency General of Finance

of the Island of Cuba
ninth
(9th of Nov. 96.)

In view of the new memorial presented by you , accompanyin g act before Notary Public in which appear various indiveduals , stating that they have bought for account of Messrs . Bauriedel and Co , leaf for five thousand bales of tobacco , in fulfillment of orders received from the United States and which they wish to export .

Considering that on the 5th of september last said gentlemen were notified already in an express and definite manner : 1) that the proff offered by them could not produce the effects they pretend , because the proofs of the facts stated would always remain outside of the term given for exportinu the tobaeco 2) that on the othher side there was no reason why to concede to said parties what had been denied to others in analogous circumstaoces , for in doing so it would be an infrigement of the dispositions of the highest autority of the Island inspired by a high interest of public character , dispositions which bind to their fulfillment all residing in the territory of the Island .

Considering that the expressions of said resolution made inefficacious and innecessary any further steps of Mesirs . Bauriedel and Co with a view to obtain what has been twice denied already

Considering that it is not necessary toenter into examination of the force and value of this information , which ought to have been received not before Notary Public , but before a judge as being an attribute of a judicial authority

Considering that the statement made in the Act presented , that Messrs . F. Bauriedel and Co also export tobacco for their own account , gives rise to

the doubt wether the tobacco they have bought has been acquired to fulfill the orders received from foreign houses or for negotiations proper to said firm , a fact which in it's time and place would have to be justified

Considering at last , that as it has been declared by the highest authority that the proof (or justification) could not at present produce the effects desired , his Excllcy the Governorand Captain General , in conformity with the proposal of the General Intendency of Finance , has found proper to deny again the authorisation asked for to export a stated quantity of Leaf Tobacco produced in the Provinces of Habana and Pinar del Rio .

Which by order of his Excllly , I communicate to you for your knowledge and as a resolution of the memorial presented by you .

Habana , November 5th 1896.

(signed) Emilio Fagoaga

Messrs . F. Bauriedel and Co

EXTRACT

COPY .

Intendencia General de Hacienda

de la

ISLA de CUBA

No . 9682.

(Stamp) Intendencia Gral de Hacienda

9 Nov 96

SALIDA

VISTA la nueva instancia por Vds . presentada acompañando acta notarial en la que varios sujetos aparecen afirmando el hecho de haber comprado por cuenta de los Sres . Bauriedel y Ca , hoja para cinco mil tercios de tabaco , en cumplimiento ,e ordenes recibidos de los Estados Unidos , y que desean exportar :

Considerando que ya en 15 de septiembre último se manifestó á los expresados Srs. de un modo expreso y terminante : 1o que la informacion por ellos ofrecida no podia producir los efectos que pretendian por que la justificacion de los hechos alegados siempre vendrian á resultar hecha fuera del plazo señalado para que pudiera verificarse la exportacion del tabaco ; y 2o que , por otra parte no habia razon que abonase ni justificase el que se concediese á dichos interesados una autorizacion que á otros en análogo caso les habia sido negada , porque de hacerlo así resultarian infringidas las disposiciones de la Autoridad superior de la Isla inspiradas en un alto interes de carácter público , disposiciones que obligan á su cumplimiento á todos los residentes en el territorio de la Isla .

Considerando que los terminos de la ya citada resolucion hacian ineficaz é innecesaria toda nueva gestion de los Sres . F. Bauriedel y Ca al efecto de obtener la autorizacion que por dos veces les ha sido negada .

Copy . 2.

Considerando que no es necesario entrar á examinar la fuerza y valor legal de esta informacion , que no ante un Notario y sí ante un juez debiera ser recibida , en cuanto es atribucion propia de la Autoridad judicial

Considerando que la afirmacion hecha en el acta presentada, de que los Sres F.Bauriedel y Ca se dedican tambien por cuenta propia á la exportacion de tabaco en rama , viene á suscitar la duda de si el tabaco comprado estaba adquirido para dar cumplimiento á las comisiones recibidas de casas estranjeras , ó para negociaciones propias de la expresada sazon social , hecho que en su caso y lugar tendria que ser justificado .

Considerando por último que declarado como lo está por la Autoridad superior que la justificacion que se pretende no podria en la actualidad producir los efectos que se interesan , el Excmo . Sr. Gobernador y Capitan General de conformidad con lo propuesto por la Intendencia Gral de Hacienda ha tenido á bien denegar nuevamente la autorizacion solicitada para exportar determinada cantidad de tabaco en rama producido en las provincias de la Habana y Pinar del Rio .

Lo que de orden de S.E. comunico á Vds . para su conocimiento y como resolucion á la instancia por Vds. presentada

Dios guarde á Vds . ms. as. Habana , Novbre 5/96

(firmado) Emilio Fagoaga

Sres . F. Bauriedel y Ca

DIPLOMATIC
1896
A.M.
ASSISTANT SECRETARY
NOV 23 1896
DEPT OF STATE.

No. 219.

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JAN 15 1897

U. S. CONSULATE GENERAL.

HABANA, Nov 18, 1896

Mr. SPRINGER.

~~Mr. LEE~~

TO THE

DEPARTMENT of STATE.

DIPLOMATIC
DEC
DEPARTMENT
1896

Rec'd Nov. 9/96
To Madrid Dec 7

Case of S.HERNSHEIM and Company's tobacco.

Transmitting statement of Messrs.NEUHAUS NEUMANN and Co., and affidavit of Mr.FIDEL FERNANDEZ.

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Two Enclosures.

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DIPLOMATIC
DEC 1 1897
BUREAU

To Mr Taylor with in-
struction to urge release
of the tobacco, which
was all contracted for
& for the most part paid
for and delivered to Americans
longer before the embargo went
into effect.

F

No. 219.

U. S. CONSULATE GENERAL.

HABANA, November 18.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

With reference to despatch No.189 of October 21st. last,with which was forwarded the protest of Messrs. NEUHAUS NEUMANN and Company,as the representatives of Messrs.S.HERNSHEIM Brothers and Company,and to your instruction No.153 of October 29th.,I have now the honor to transmit copies of a statement by Messrs.NEUHAUS NEUMANN and Company,sworn to by Mr.FEDERICO NEUMANN,and an affidavit of Mr.FIDEL FERNANDEZ,the tobacco buyer of said firm.

1/2

I am,Sir,

Your obedient servant,

Joseph A. Springer.

Vice Consul General.

Two enclosures:-

1.Messrs.NEUHAUS NEUMANN and Co.to Mr.SPRINGER.

2.Affidavit of Mr.FIDEL FERNANDEZ.

Enclosure No.1.

With Despatch No.219.

Habana, November 18.1896.

Copy.

On this 17th.November 1896,personally appeared before me,the undersigned,Mr.FEDERICO NEUMANN,one of the firm of Messrs.NEUHAUS NEUMANN and Co.of this city,and deposed unto the facts contained in the foregoing letter,which bears the signatures of his firm,and declared that the same are true.

(signed) Fdo.NEUMANN.

Habana, November 17.1896.

Joseph A. Springer,Esq.,
Vice Consul General U.S.A.,
at Habana.

Sir:-

Your esteemed letter of the 4th.inst.was duly received and noted.

Referring to the instruction received from the Department of State which is quoted in your valued letter,we beg leave to say:-

First: That no contracts in writing have ever existed between ourselves or our buyers and the farmers from whom tobaccos were bought.

Second: We hand you herewith hthe affidavit of FIDEL FERNANDEZ,the buyer of all tobacco owned by S.HERNSHEIM Bros and Co.,L't'd.that is at present stored in Habana and for the shipment of which said firm is now awaiting permission.

Third: It is absolutely a physical impossibility for us or any one else to procure the affidavit from the farmers from whom said purchases were made,for the reason that we know that some of said farmers are dead,many left the Island directly after the receipt of money and the balance are scattered where it would be impossible to find them.

Fourth: It has been customary ever since we have known anything concerning the purchase of tobacco from farmers in the Island of Cuba,that such trades or contracts have always been verbal. This custom has been in vogue solely and only.

We do hereby swear to the correctness of the above facts.

We are,Sir,your obedient servants,

(signed) NEUHAUS NEUMANN and Company.

U.S.Consulate General,)
H A B A N A.)

On this 17th.November 1896,personally appeared before me,the undersigned,Mr.FEDERICO NEUMANN,one of the firm of Messrs.NEUHAUS NEUMANN and Co.of this city,and deposed unto the facts contained in the foregoing letter,which bears the signatures of his firm,and declared that the same are true.

(signed) Fdo.NEUMANN.

Before me:-

(signed) JOSEPH A. SPRINGER,
Vice Consul General.

Enclosure No. 2 —

With Despatch No. 219 —

Habana , November, 1896.

Copy.

U.S.Consulate General, |

H-A-B-A-N-A. |

On this 17th.November 1896,before me,the undersigned U.S.Vice Consul General at Habana,personally appeared Mr. FIDEL FERNANDEZ of this city,to me personally known,who being duly sworn did declare and state as follows:-

That his name is FIDEL FERNANDEZ y OBREGON,native of Santander,44 years of age and resides in this city; that he has been actively engaged in the tobacco business during the past ten years: that for four years past he has acted as the buyer of Messrs.NEUHAUS NEUMANN and Co.of this city,the Agents of Messrs.HERNSHEIM Bros.and Co.of New Orleans,and has purchased large and small quantities of tobacco throughout the provinces of Habana and Pinar del Rio from the Vegueros and Sitieros, the tobacco growers,the large and small growers; that he has paid for considerable tobacco at the moment of purchase,given checks and orders on the firm for part,and has also made verbal contracts and agreements for the purchase of the tobacco not even yet cut; that it has not been customary in this business to make signed and sealed contracts,each man's word is held as good as his bond, and the agreements , and verbal contracts are scrupulously complied with; that he himself,had a verbal contract with Messrs.S.HERNSHEIM Bros.and Co.,of New Orleans,to purchase tobacco exclusively for said firm, which was shipped through its agents,the said Messrs. NEUHAUS NEUMANN and Co.,and that in the second year,he entered into a written contract with said firm of S.HERNSHEIM Bros.and Co.for two years,which was renewed at its expiration,for another two years and will not expire until Mar. 15.1897.

Consequently he still in the employ of said S.HERNSHEIM Bros.and Co;

that all the tobacco purchased by him during the past crop was for account of said firm,and is shown by his orders notes,memoranda,and accountstransmitted to the firm of Messrs.NEUHAUS NEUMANN and Co.,the Agents of his employers, and such memoranda are probably in their possession.

(signed) FIDEL FERNANDEZ.

THUS subscribed and sworn to before me,date as above

(signed) JOSEPH A.SPRINGER

U.S.Vice Consul General.

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1894
ALL LINEN
CRANE'S

No. 220.

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Secretary of State
NOV 23 1896

To Gen. B. Jones Dec 1/96

U. S. CONSULATE GENERAL.

HABANA, November 18th, 1896.

Mr. DEXTER SPRINGER

TO THE

DEPARTMENT of STATE.

Trial of the "COMPETITOR" prisoners.

---------0----------

one enclosure.

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No. 220/

U. S. CONSULATE GENERAL.

HABANA, November 18th, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

With reference to the case of the "COMPETITOR" prisoners, I herewith transmit a copy of a letter received this morning from ONA MELTON, respecting the continuation of the trial of himself and the other prisoners, and the information given him by the Judge, that the case would be settled very soon.

I am, Sir,

Your obedient servant,

Vice Consul General.

Enclosure.

Mr. ONA MELTON to Mr. SPRINGER, November 16th, 1896.

Copy to Hon. R. H. Clarke.
11/27/96

No. 221.

Enclosure No.1.

With Despatch No.220.

H A B A N A , November 18th,1896.

COPY.

Ft.Cabaña,cell 41,Nov.16th,1896.

Mr.Springer,

Dear Sir:

The trial of the "Competitor" prisoners by ordinary naval court martial in the "Cuarto de Bandera" in fort Cabaña, was continued yesterday before the Naval Judge Instructor Fernandez Lopez Saul and the full depositions of Dr.Vedia. Jorge Ferran,Teodoro Maza and myself were taken;as far as I know nothing new or different was developed by these depositions from those made in the previous court martial of May.

The "Juez Instructor"told me personally that the case would be settled very soon.

I take the first opportunity to inform you of this,as I was requested to write to the Consulate whenever anything new occurred to keep the Consulate informed. This was before Gen. Lee left.

I protested against the method of procedure when the trial began a few weeks ago,but really I suppose it makes but little difference about the method of trial as I fancy that the spaniards have decided beforehand what they intend doing with us and the trial will be a mere form.

I am,Sir,yours most respectfully,

(Signed) Ona Melton.

Copy to Hon. R. H. Clarke.
11/27/96.

To

No. 2 2 1.

ASSISTANT SECRETARY
NOV 23 1896
DEPARTMENT OF STATE.

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U. S. CONSULATE GENERAL.

HABANA, November 18th, 1896.

Mr. KEX SPRINGER

TO THE

DEPARTMENT of STATE.

Estate of Mr. EDUARDO MITJANS, late of Matanzas.

---------O---------

One enclosure.

---------O---------

No. 2 2 1.

U. S. CONSULATE GENERAL.

HABANA, November 18th,1896.

Honorable William W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

Sir:

In reply to your instruction number 158 of the 7th instant I herewith transmit a copy of a letter received from our Consul at Matanzas relative to the estate of Mr.Edward Mitjans, who died in said city in March,1896.

I am ,Sir,your obt.servant,

Joseph A. Springer
Vice Consul General.

1 Enclosure.

Mr.Brice to Mr.Springer,Nov.16th,1896.

Enclosure No.1.

With Despatch No.221.

Habana, November 18th, 1896.

Copy.

U.S.Consulate of America.

Habana, November 16th, 1896.

Joseph A.Springer, Esq.,

Vice Consul General, Habana.

Sir:

Replying to your letter of inquiry, dated November 12th, 1896, relating to Mr.Edward Mitjans, who died in this city last March I find from good authority that Mr.Mitjans was possessed of considerable property; also left a will, which I understand has been probated (contents of will unknown to me) Mr.Pedro Serra, his book-keeper, was appointed executor of will, and assumed entire controll of Mr.Mitjans business, a Tailoring establishment which he is now running.

As near as I can learn, the following schedule represents Mr.Mitjans assets at time of his death.

79 shares in Matanzas R.R.Co. at $500	$39.500
Stock in hand	" 6.000
Outstanding accounts (over)	" 8.000
Cash in hand (amount not known)	...
Total	$53.500

Mr.Mitjans left six (6) natural children: four girls placed in school somewhere in Alabama, U/S?. Two sons, one here with pedro Serra as guardian (and I understand is badly treated) and one in Spain.

I learn Mr.Mitjans fully recognized his children and dee

sired all his property (after paying debts) to go to them. My impression is that immediate steps should be taken to have Mr. Serra (executor) render an account of this property, as I am told by good authority he is appropriating every thing available to his own account.

I am, Sir, your obt. servant,

(Signed) A.C.Brice,

U.S.Consul.

No. 222.

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U. S. CONSULATE GENERAL.

HABANA, November 19th.1896.

Mr. SPRINGER.

~~Mr. LEE~~

TO THE

DEPARTMENT of STATE.

Confirming telegrams received.

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No. 222.

U. S. CONSULATE GENERAL.

HABANA, November 19th.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honor to acknowledge the receipt of the following telegrams from the Department:-

(cypher) "Washington,November 17th.

"American Consul General,Habana.

"The Minister at Madrid cables in reference to Ward "Line execution that telegram sent for necessary data, "favorable action will follow no doubt when answer "received".

(signed) ROCKHILL.

"Washington,November 18th.

"Springer,American Consul,Habana.

"Cable from Minister at Madrid says Ward embargo sus- "pended by telegraph".

(signed) ROCKHILL.

I have communicated the foregoing intelligence to Messrs.Hidalgo & Company,the Agents of the Ward Line.

I am,Sir,

Your obedient servant,

Fitz Hugh Lee

Vice Consul General.

ASSISTANT SECRETARY
NOV 25 1896
DEPARTMENT OF STATE.

No. 223.

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U. S. CONSULATE GENERAL.

HABANA, November 20th.1896.

Mr. SPRINGER.

~~Mr. LEE~~

TO THE

DEPARTMENT of STATE.

Case of the "COMPETITOR".

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Advising having received copy of appointment of ALFRED LABORDE as Master , and having transmitted it to the Court.

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No. 223.

U. S. CONSULATE GENERAL.

HABANA, November 2oth.1896.

Honorable William W.Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honor to inform the Department that on the 14th.instant I received from Mrs.EMMA LABORDE,of Key West, a copy certified by the Collector of Customs of that port of the oath and appointment of her husband as Master of the American Schooner "COMPETITOR".

I returned this certificate to the Collector with the request that he procure the authentication of his signature by the Spanish Consul; believing that the document would be more valid before the Court here,and also forestall any objection that might be offered,for the want of such formality.

The certificate has been returned duly endorsed,and I have transmitted it to the Governor General,with the request that it be forwarded to the Court having cognizance of Mr.LABORBE'S case.

In her letter Mrs.LABORDE states that she had been informed by the Collector that the Spanish Consul had also obtained a certificate regarding her husband,and the port he had cleared for,Miami.

I am,Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

No. 224.

ASSISTANT SECRETARY
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U. S. CONSULATE GENERAL.

HABANA, November 21st, 1896.

File

Mr. ~~LEE~~ SPRINGER

TO THE

DEPARTMENT of STATE.

Ack

Transmitting correspondence with Mr.W.HIMELY, the Manager of Central "OCCITANIA", relative to an order to fortify the "batey" of his estate.

2 enclosures.

No. 224.

U. S. CONSULATE GENERAL.

HABANA, November 21st, 1896.

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:-

I have the honor to transmit herewith for the information of the Department, a copy of a letter received from Mr.W.HIMELY, manager of the Central "OCCITANIA", of Macagua, respecting an order which he states he had received from the Alcalde or Mayor of the town to place a force upon his estate.

I have answered Mr.HIMELY, that said order seems only to excite his co-operation, and states the necessity of fortifying his "batey" or amplifying its means of defense against the incendiary intentions of the insurgents; and I send him a copy of Gen:WEYLER'S note to Mr.LEE, of August 2nd, last, in answer to a similar complaint.

I am, Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

Enclosures:

1. Mr.HIMELY to Consul General LEE, November 5th, 1896.
2. Mr.SPRINGER to Mr.HIMELY, November 19th, 1896.

Enclosure No. 1. 224
With Despatch No. 215
HABANA, November 21 1896.

Copy.

"Central Occitania, Macagua, Cuba.
November 5th, 1896.

Fizhugh Lee, Esq.,
U.S.Consul General,
Habana.

Sir:

As manager of this estate, 4/5th of which are owned by American citizens, I would be very much obliged to you for advice on the following points:

We have so far had no "destacamento" on this estate, and though all the cane we might have ground last year was burnt down, the buildings, etc., have so far been thoroughly respected both by the Government troops and by the insurgents, and which fact is due both to the nationality of the owners, to our not having ground, and not having had a "destacamento" (detachment).

On the 20th of last month I received a communication from the "Alcaldia" (Mayor's office) of which I enclose a copy. The meaning of this paper, I see, is that we are to put a "destacamento" here, and I sent a cable to the owners telling them that the Government had ordered us to build forts, but the Captaincy General in Havana did not let the cable pass, and said they had

given no such order; that we were not obliged to put troops on the estate; but if we did we would have to build forts.

The position as you see is rather a complex one, and what makes it more so is that money is very scarce. If we do fortify the place it is very likely that we will draw the insurgents down on us. If we do not we will be on a worse footing than we are at present with the Spaniards, and not only that, but the 100 or more families which have been ordered out of their "sitios" (farms) and have moved into here and built their houses, will be ordered away from here, which would be bad for us. What do you advise me to do?

I am, Sir, etc.

(Signed) W. Himely,

Manager.

TRANSLATION.

The Government fearing with foundation that the enemy of the public peace of this country intends to destroy by fire the "bateyes" of the sugar estates, I entreat you, in order to prevent this evil, to co-operate in favor of the interests in your care, and to aid within your power towards saving same.

Therefore, it is urgently necessary to proceed to fortify your "batey" or otherwise to amplify its means of defense, if it has them, in order to frustrate the intentions of the enemy, not omitting to that end any sacrifice whatever which will redound to the benefit, not only of the plantation, of which you are the manager, but of the scared cause of the Country, which should be bravely defended by all the loyal inhabitants of this Island.

I trust that you will understand the reasons expressed and the good will which animates the superior authorities and that, therefore, you will attend properly to my recommendation which emanates from the Superior authority; my purpose being that of avoiding greater evils than those which unfortunately we have to lament in this district.

God guard you many years. Macagua, Oct: 15, 1896.

(Signed) FERNANDO GOMEZ.

Alcalde Municipal.

Enclosure No. 2.
With Despatch No. 224
Habana, November 28th, 1896.

COPY.

U.S.CONSULATE GENERAL.

HABANA, Nov.19th, 1896.

Mr.W.Himely,

Manager of "Central Occitania",

Macagua.

Sir:

Your letter of the 5th instant addressed to Consul General Lee, was received on the 18th, and a copy of it will be transmitted to the Department of State.

I note that you state you have received an order from the Alcalde or Mayor of your town, on the 20th ultimo, to place a "destacamento", or force on your estate, but on referring to the order of which you send a copy, it seems to entreat your co-operation in favor of the interests in your care, and states that it will be necessary to fortify your "batey" or otherwise amplify its means of defense against the intentions of the insurgents to destroy it by fire.

As bearing upon this point, I enclose a note (b.l.m.) dated 2nd August last, of Captain General Weyler to Mr.Lee.

I am, Sir, etc.

(Signed) Joseph A.Springer,

Vice Consul General.

Enclosure: Copy of note of Gen.Weyler referred to.

TRANSLATION.

The General in Chief of the Army of Operations of the Island of Cuba salutes the Consul General of the United States and has the honor to inform him in answer to his courteous note of yesterday, that it being necessary to apply to the active service of the campaign the forces which have been guarding the plantations, the latter have remained without any fixed garrison, but the owners of estates are authorized to keep on their own account any armed force which they may deem convenient, after compliance with the proceedings set forth in the circular dictated to that effect; the General having, besides, ordered the columns of the army to protect them as far as the preferent service of the campaign may permit it.

Lieutenant General Weyler, Marquis of Tenerife, avails himself of the occasion to reiterate to Mr. Fitzhugh Lee the assurances of his esteem and distinguished consideration.

Habana, August 2, 1896.

No. 225.

ASSISTANT SECRETARY
NOV 28 1896
DEPARTMENT OF STATE.

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U. S. CONSULATE GENERAL.

HABANA, November 21st, 1896.

Mr. ~~DEE~~ SPRINGER

TO THE

DEPARTMENT of STATE.

Arrest of Mr. THEODORE L. VIVES, Novr 12th.

One enclosure.

No.2 2 5.

U. S. CONSULATE GENERAL.

HABANA, November 21st,1896.

Hon: William W.Rockhill,

Assistant Secretary of State,

Washington. D. C.

Sir:-

I have to inform the Department of the arrest on the 18th instant of Mr.THEODORE L.VIVES, a naturalized citizen of the United States.

A letter from Mr.VIVES, received today,states that he was arrested for some trouble he had with the proprietor of the Inglaterra Hotel,who had forbidden him to go into his house. So far as I can learn from inquiries, VIVES,or as he was also known, POUS,is also a hotel interpreter,and and has tried to get passengers away from the Inglaterra Hotel. When he called that day to see one of the guests , he was ordered off,and then got into a quarrel with one of the hotel interpreters. The proprietor then ordered his arrest and he was taken to police headquarters,kept 4 days "incomunicado",and then placed at the disposal of the Guadalupe District Court of First Instance. But this Court, as I learn, on hearing that the charges against VIVES were for "infidencia" or treason,turned the case over to the Captaincy General,or the military jurisdiction.

Mr.VIVES is a native of Cienfuegos,25 years of age, was naturalized at the Superior Court of New York on the 14th of October,1891,according to his certificate of naturalization,which he had once used as a passport for Spain,as it is visaed by this Government for the Peninsula,March 29th'95. He was registered in this office July 23rd,last,No.4672, and furnished with a certificate of his registry to present to the General Government for inscription,under General WEY-

No. 225.

U. S. CONSULATE GENERAL.

HABANA,

LER'S decree of July 14th,last. In his letter to this office Mr.VIVES refers to the fact that he had not registered at the General Government because he was going to New York the day he was arrested.

I send a communication to the General Government today, stating the fact of his citizenship and ask for him the rights and privileges he is entitled to as such. I foresee,however, that in case the charges against him result to be serious, this Government will not consider him as entitled to invoke the rights and privileges granted by its laws,because he cannot prove having complied with the requirements of the register as provided by General WEYLER'S decree. (See dispatch No.54,July 16th.) The opinion of the Department upon this subject is known to this office, and will be availed of if found necessary.

I am, Sir,

Your obedient servant,

Joachim D. Springer

Vice Consul General.

Enclosure:-

Mr.VIVES to Mr.SPRINGER, November 19th,1896.

Enclosure No.1.
With Despatch No. 225.
H A B A N A , November 21st, 1896.

Copy.

Habana,November 19th,1896.

Joseph A.Springer,Esq.,
U.S.Vice Consul General,
Habana.

Sir:

My folks have come to see you several times,but they could not give you an exact account of my arrest,as I will do now. On Thursday last in the morning I went to the hotel Inglaterra to see Mr.Dart,an American sketcher,for the American newspaper "The Herald" and when I went to the office as usual,to ask for said person,one they call the "interpreter",named Celestino,in a very rough way told me that I could not go inthe hotel. At once I tried to ask for an explanation,and the answer I got was that he went behind the door and got a stick with a knife in it,and made a dash for me,and then I ran outside while I had him after me all the time. Then came Villamil (proprietor of the hotel) and as he never liked me very much,he called a soldier and went to the station with me,there he went to a private room and spoke with the celador (police officer) Quiñones for about twenty minutes and without asking me anything the celador said to the policeman:take him to the Cuartel de Orden Publico (Police headquarters) and incommunicate him. I was surprise to hear that,but I did not want to disobey and I went. They had me incommunicated for 4 days then afterwards they took me to the Court and I was surprised to hear that I was accused of having given news to this sketcher against the Spanish cause,nw now mind,how could I have given news to a person that I was

going to solicitate for the first time? And besides I can prove that I never care for politics, because if I was an insurgent I would be in the country and not here. The whole thing is that in time of peace I work for other hotels and I have done him in the line of business, in a fair way, all the harm I could. So now you know exactly and truly the cause of my arrest which I can swear before God. To-day the 19th, is nine days that I am arrested, and also they have me in a dirty damp little dark room. I hope you try and hurry this case for I wish to be out of here as soon as I can. I have not been registered in the General Government because I was going to New York the day when they arrested me. Hoping to hear from you soon I remain, I remain etc.

(Signed) Theodore L.Vives.

CRANE'S
1896
ALL LINEN
CRANE'S

No. 2 2 6.

ASSISTANT SECRETARY
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HABANA, November 23rd, 1896.

Mr. SPRINGER

TO THE

DEPARTMENT of STATE.

Case of the "COMPETITOR".

The copy of ALFREDO LABORDE'S oath and appointment as master of said vessel has been sent to the Marine Court.

No. 2 2 6.

U. S. CONSULATE GENERAL.

HABANA, November 23rd,1896.

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

Referring to despatch No.223,of the 19th instant, I have to inform the Department that the copy of the oath and appointment of ALFREDO LABORDE as master of the Schr:- "COMPETITOR", transmitted by this office to the General Government,has been forwarded to the Commandant General of Marine, the Admiral commanding this Naval Station,which authority has cognizance of the case of the capture of said vessel.

I am, Sir,

Your obedient servant,

Joseph A. Springer.

Vice Consul General.

P.S.

Mr.LABORDE sent me a message,that he had been well treated while recently in the hospital,(as reported in No. 211,Nov:12th,) and had been returned to the "CABAÑA" at his own request.

No. 227.

No. 227 / No. Madrid Nov 12

ASSISTANT SECRETARY
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U. S. CONSULATE GENERAL.

HABANA, November 24th, 1896.

File

Mr. [illegible] SPRINGER

TO THE

DEPARTMENT of STATE.

Case of ANTONIO SUAREZ del VILLAR., Cienfuegos.

Charged with purchase and concealment of arms and ammunition for the insurrection.

Certificate of his citizenship asked for and furnished.

3 enclosures.

Secretary of State
NOV 30 1896

No.2 2 7.

U. S. CONSULATE GENERAL.

HABANA, November 24th,1896.

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:-

With reference to despatch No.167 of the 7th October, relative to the arrest at Cienfuegos of Mr.ANTONIO SUAREZ del VILLAR,I transmit the answer of the General Government to my note of the 6th instant asking to be informed respecting this case; and copy of my reply which embodies the certificate required, respecting Mr.SUAREZ del VILLAR'S naturalization in the United States and his register in this office.

The U.S.Vice Consul at Cienfuegos,referring to the fact of having received several pitiful letters from Mrs.SUAREZdel VILLAR,states further :-

"The condition of this poor family composed of father, "mother and four children,(minors) is most pitiful.It is a "most respectable family,once possessed of considerable wealth, "but now reduced to extreme poverty by the ravages of war. The "imprisonment of the father,upon whose daily labor the family "now depends for their support,is therefore,a great hardship. "Mr Suarez del Villar thinks that if Gen:Weyler would at least "order the transfer of his case to the civil courts he might "perhaps get out of jail on bail, to the great relief of his

No227

U. S. CONSULATE GENERAL.

HABANA,

"family".-

But in view of the nature of the charges against him, I think this expectation is futile.

3/ I also transmit copy of Mr.SUAREZ del VILLAR'S statement to this office concerning his arrest.

I am, Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

Enclosures:-

1.- The Secretary General to Mr.SPRINGER, Novr 19th, 1896.

2.- Mr.SPRINGER to the Government General.

3.- Mr.SUAREZ del VILLAR'S statement to the Consul Gen: Oct 31.

Enclosure No.1.)
With Despatch No.227.)
H A B A N A, November 24.1896.)

Translation.

GENERAL GOVERNMENT of the ISLAND of CUBA,
Secretary General's Office.

To the Excellency,

Consul General of the United States, Habana.

Sir:- etc. etc. etc.

His Excellency the Captain General, in a communication dated 15th. instant, says to H.E. the Governor General as follows:

"Excellency:- Consequent to Y.E.'s polite note of the "9th. instant, relative to the civilian, Don ANTONIO SUAREZ "del VILLAR, I have to inform you that said individual, "together with two others, is arrested and indicted at "Cienfuegos charged with the purchase and concealment "of arms and ammunition intended for the insurrection; "and the accused having alleged his status as a citizen "of the United States, in a separate note of this date, "I have requested Y.E. to ask the United States Consul "General for a certificate of the document or correspond- "ing register by which appears his nationality, in order to prove "his said condition and decide in conformity."

Which by order of H.E. I have the honor to transmit for your knowledge, and in reply to your note of the 6th. instant, referring to said case.

God guard you many years. Habana, November/9.1896.

(signed) El Marqués de PALMEROLA.

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Enclosure No.2. No.227.)
)
With Despatch No. 227.)
)
H A B A N A, November 23.1896)

Copy translation.

United States Consulate General,

Habana, November 23.1896.

To His Excellency,

The Governor General of this Island,

etc. etc. etc.

Excellency:-

In reply to Y.E.'s polite note of the 19th.instant, asking for data respecting the American citizenship of Mr. ANTONIO SUAREZ del VILLAR, arrested in Cienfuegos, I have the honor to inform Y.E. that said individual is registered in this Consulate General as a citizen of the United States under date of 13th.November 1878, a native of Cienfuegos, and then 27 years of age, single, of commerce with transient residence in Cienfuegos; having obtained naturalization as an American citizen, in New York on 30th.September 1878, and was the holder of a passport issued by the Secretary of State of the United States, No.9930, dated October 1.1878.

I am, Sir,

etc. etc. etc.

(signed) JOSEPH A. SPRINGER.

Vice Consul General.

Enclosure No. 3 2
With Despatch No. 227.
Habana, November 24, 1896.
~~Received Dec. 1896~~
Copy.

Cienfuegos, October 31. 1896.

Mr.
Consul General of the U.S. of America,
Habana.

Dear Sir:-

It is already thirty days since I was imprisoned by order of Gral. Pin, Gral of the 2nd. Division of "Las Villas", and yet I have not been tried.

My detention took place as follows. On the night of the 7th. of Sept., at about 8 oclock, while at the Club "El Liceo" I was told by one of the waiters that some one outside wanted to see me. I went out and met two Guardia Civiles. They asked if my name was Dr. Antonio Suares del Villar, and I answered in the affirmative. They said that Gral Pin wanted to speak to me. In consequence I went to the Gral's. There they searched my pockets and revised the few and worthless papers I had. There in the interior of the house I waited for quite a long time. Then the Gral. came to me and asked if I was Dr. Antonio Suares del Villar and, as I answered in the affirmative, also asked if I was collecting money to buy arms with, to which I gave a negative answer. He then left me . There I remained until midnight when they took me to the Police Station where again they searched my pockets and shut me in incomunicated in a dungeon. Four days after they took me to the presence of a Captain, who told me that he was going to take my deposition. I told him that I was an American citizen, and would not make any deposition but before a civil court. He then said it was of no account whether I was or not an American citizen, since a state of war already existed between Spain and the United States.

I told him that the news surprised me much,but that,were it or not true,I was determined not to give any declaration but before the American Consul: this answer made him go away,but returned within half an hour,and said to me that he was not going to take my deposition,but only came to enquire if I knew the persons which he would mention,and went on asking if I knew Mr.N.Teran and Mr.Feliciano del Pozo. I did not know them and so I deposed. He then asked me if I had been buying arms or had employed any one to buy them. Though I had made up my mind not to answer any question that might interest me,but before a Civil Tribunal,not to appear too ugly,I answered that I never occupied myself in such a thing. He then went away and I was again shut in incomunicated until the next day,the 12th.at 4 o'clock P.M.when I was taken to the public jail.

On the 9th.inst.a Lieutenant of the Guardia Civil,Sr. Ardana,came to the jail,and made me appear before him,and when I told him I was an American citizen he said he only wanted me to depose in another cause he was instructing,and went on saying that as ~~as~~ the Military Court knew that there was in the city a shoe and leather store which provided military equipments for the Insurgent Chief Rego,he wanted to know ,if I knew anything about it. Though the question interested me,so as not to bring any prejudice on myself,I gave the true answer,which was in the negative.

This round about way of putting such questions to me, any one would think malicious,but being myself innocent of any act which could bring on me punishment at the hands of the Spanish Government,I had no fear to answer.

As days pass away and they do not carry me before a Civil Court for trial,I appeal to you,begging that you use all the power at your command with the purpose that my case,if there is cause for it,may be tried.

The Vice Consul here,Mr.Casanova,has been to see me twice and has told me,he has my case in hand: but time passes away and my family suffers,not only for the uncertainty of

tomorrow,but for needing my help.

I beg again for your valuable interference in my behalf so that I may soon see myself again in the full enjoyment of my liberty for which I would heartily be grateful to you.

I remain,dear Sir,

Yours respectfully,

(signed) Antonio Suarez del Villar.

1894
ALL LINEN

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CRANE'S

No. 228.

ASSISTANT SECRETARY
NOV 28 1896
DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

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REC'D.
NOV 28 1896
DEPT. OF STATE

HABANA, November 24th, 1896.

Mr. SPRINGER,

TO THE

DEPARTMENT of STATE.

Transmitting copies of a letter received from Mr. JOSEPH L. CEPERO, in prison at Santa Clara, and of the answer to same.

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2 enclosures.

No. 2 2 8.

U. S. CONSULATE GENERAL.

HABANA, November 24th, 1896.

Hon: W illiam, W. Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

I transmit herewith for the information of the Department, copies of a letter received from Mr. JOSEPH L. CEPERO, now imprisoned at Santa Clara and under trial, and of my answer.

1/2

I am, Sir,

Your obedient servant,

Joseph L. Springer

Vice Consul General.

2 enclosures:

1.-- Mr. Cepero to Mr. Springer, November 13, 1896.

2. Mr. Springer to Mr. Cepero, Novr 24th, 1896.

Enclosure No.1.
With Despatch No. 228
H A B A N A , November 24 1896.

Translation.

Santa Clara jail, November 13th, 1896.

Mr. Springer, Acting Consul of the United States at Habana.

Dear Sir:

I beg to inform you that to-day the Prosecutor in my case informs me that the delay in my trial depends on the fact that the Superior Court (Audiencia) has inquired of the General Government whether I am inscribed in the Register of American citizens, to which the latter answered "that I was not". For this reason they consider as null my citizenship, but my lawyer directs me to address you immediately in order that you may be pleased to take the necessary steps towards my registration.

My lawyer tells me that he believes they (the Govt.) are not right, because the fact of not being inscribed is due to my imprisonment; I consider it my duty to inform you of the above.

I am, Sir, etc. etc.

(Signed) Joseph L. Cepero.

Enclosure No.2. —

With Despatch No.228. —

H A B A N A , Novbre. 24,1896.

Copy.

U.S.CONSULATE GENERAL.

HABANA,Nov.24,1896.

Joseph L.Cepero,Esq.

Santa Clara jail.

Dear Sir:

In reply to your letter of 13th inst.,I have to say that this office pfesented to the General Government full proof of your American citizenship on the 22nd January last,and in consequence your case was transferred to the civil jurisdiction on the 18th February and in March to Santa Clara.

General Weyler's decree regarding registration of foreigners was dated July 14th last.

I do not see how you can now be registered,being imprisoned and under trial.

I beg to remind you that your lawyer is the proper person to attend to the details of your defense,and not this Consulate General.

I am, etc. etc.

(Signed) Joseph A.Springer,

Vice Consul General.

No. 229.

ASSISTANT SECRETARY
NOV 28 1896
DEPARTMENT OF STATE.

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U. S. CONSULATE GENERAL.

HABANA, November 24th, 1896.

Mr. KEX SPRINGER

TO THE

DEPARTMENT of STATE.

Transmitting list of vessels of the Spanish Navy in Cuban waters.

One enclosure.

No. 229.

U. S. CONSULATE GENERAL.

HABANA, November 24th, 1896.

Hon: William W. Rockhill,
Assistant Secretary of State.
Washington. D. C.

Sir:

"El Liberal", of Madrid, of October 25th, gives the following as a list of the vessels of the Spanish Navy in Cuban waters :-

Cruisers of 1st Class.

REINA MERCEDES. ALFONSO XII.

And the steamships of the Transatlantic Line, commissioned as cruisers :-

ALFONSO XIII. REINA CRISTINA.

-----o-----

Cruisers of 2nd Class.

MARQUES de la ENSENADA. CONDE del VENADITO.

YNFANTA YSABEL. MAGALLANES.-

-----o-----

Terpedo - gunboats.-

FILIPINAS. MARQUES de MOLINA.

GALICIA. NUEVA ESPAÑA.

MARTIN ALONZO PINZON. VICENTE YANEZ PINZON.

MENSAGERA. CENTINELA.

DARDO.

-----o-----

Gunboats of 1st Class.

HERNAN CORTEZ. PIZARRO.

VASCO NUÑEZ de BALBOA.

-----o-----

Despatch boat.

LEGAZPI.

-----o-----

No. 229.

U. S. CONSULATE GENERAL.

HABANA,

Gun boats of 2nd Class.

DELGADO PAREJO.
CONTRAMAESTRE.
DIEGO VELAZQUEZ.
AGUILA.
ALVARADO.
CUBA ESPAÑOLA.
ALCEDO.
ANTONIO LOPEZ.
SANDOVAL.

-----o-----

Gun boats of 3rd Class.

MAYARI.
GOLONDRINA.
LIGERA.
ESTRELLA.
GUANTANAMO.
LINCE.
ARDILLA.
FRADERA.
CRISTINA.
ALERTA.
CAUTO.
YUMURI.
BARACOA.
GAVIOTA.
COMETA.
SATELITE.
VIGIA.
ALMENDARES.
FLECHA.
COMERCIO.

-----o-----

Gun-mounted Launches.

CARIDADA.
LEALTAD.
INTRÉPIDA.

-----o-----

Which I transmit for the information of the Department.

I am, Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

Enclosure: Foregoing list, in Spanish.

RECEIVED. NOV 30 1896 BUR. ACCOUNTS. DEP. OF STATE.

ASSISTANT SECRETARY NOV 28 1896 DEPARTMENT OF STATE.

No. 230.

INDEX BUREAU REC'D. NOV 28 1896 DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, November 25.1896.

Mr. SPRINGER.

~~Mr. LEE~~

TO THE

DEPARTMENT of STATE.

Reference to purchase of Terrestrial Globe.

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No. 230.

U. S. CONSULATE GENERAL.

HABANA, November 25.1896.

Honorable William W.Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

In reply to instruction No.151.of October 28th.,to explain the charge of $15.90 - Spanish gold - for a"terrestrial globe",in the accounts for quarter ending September 30th.1896,I have the honor to say that the globe was purchased by order of Consul General LEE,as it was considered a necessary adjunct to the office furniture.

I am,Sir,

Your obedient servant,

Jerome A. Springer

Vice Consul General.

Seen by Bureau of Accounts -
T. M.

ASSISTANT SECRETARY
NOV 29 1896
DEPARTMENT OF STATE.

No. 231.

U. S. CONSULATE GENERAL.

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HABANA, November 25.1896.

File

Mr. SPRINGER.

~~Mar 1,1897~~

TO THE

DEPARTMENT of STATE.

Case of THOMAS F. RODRIGUEZ, Matanzas.

Three enclosures.

Secretary of State
NOV 30 1896

No. 231.

U. S. CONSULATE GENERAL.

HABANA, November 25.1896.

Honorable William W.Rockhill,
Assistant Secretary of State,
Washington.

Sir:-

I have the honor to transmit herewith copies of correspondence relative to Mr.THOMAS F. RODRIGUEZ,whose case was reported to the Department by the United States Consul at Matanzas in his No.71,November 17th.,and to this office.

In consequence of your telegraphic instruction to him of the 13th.instant,to report RODRIGUEZ' case to this office,I addressed a communication on the 21st.instant to the Governor and Captain General,which I presented in person to the Secretary General,- General Weyler being absent in the field.

Upon reading the communication, the Secretary seemed to demur at the Matanzas Governor's action,but stated he would telegraph to him for a report,and then reply to the complaint.

No answer has yet been received,nor has Mr.RODRIGUEZ yet called at this office,as stated by Mr.Brice in his letter of the 21st.he would upon coming to Habana,Monday.

I am,Sir,

Your obedient servant,

Jonathan Springer

Vice Consul General.

Enclosures:-
1.Consul Brice to Mr.Springer.Matanzas.Rec'd.Nov.20.
2.Mr.Springer to the Governor & Capt.Gen'l.,Nov.21.
3.Consul Brice to Mr.Springer,Matanzas.Nov.21.

Enclosure No. 1
With Despatch No. 231
HABANA, November 25. 1896.

Copy.

U.S.Consulate at Matanzas.

(Received Nov.20th,1896.)

Joseph A.Springer,Esq.,

Vice Consul General, Habana.

(Signed) A.C.Brice,

Sir:

I have the honor to communicate copy of cablegram received at this Consulate November 14 and request your action on same.

(copy cablegram)

Washington,13th November.

"Report case of Rodriguez to Consul General with request "to obtain amelioration of decree of expulsion or other "relief.

Rockhill".

In accordance with above will say: Mr.Thomas F.Rodriguez, a prominent American citizen,owner of sugar estate "San Jose", near Isabel,Matanzas province,was on 16th October,1896,reported to appear before the civil Governor of this Province,who in a very uncivil manner ordered Mr.Rodriguez and family to leave the Island by 31st of October,1896. Mr Rodriguez at once laid the case before me and after careful inquiry I advised him to pay no attention to the order,as it was not given in an official manner. An order for the expulsion of a resident American citizen from the Island should come from Captain General at Habana and be served,through proper channels. Also specific grounds of complaint given.

All of Mr.Rodriguez' property has been burned by spanish troops,including buildings,household and personal property,and he is reduced to penury,having no means wherewith to leave the Island. His family consists of wife and children and are now living at Isabel,on charity of neighbors. Mr.Rodriguez

has been in Matanzas, since the 15 October, having to leave Isabel as his life was in great danger, narrowly escaped death on several occasions from Spanish troops, also members of his family. A N A , November 25th 1896.

So far Mr.Rodriguez has been unmolested, but is liable to arrest and imprisonment at any time.

I am, Sir, etc.

(Signed) A.C.Brice,

U.S.Consul.

Copy.

U.S.CONSULATE GENERAL,

HABANA, November 21st, 1896.

To His Excellency the Governor and Captain General of the Island of Cuba.

Excellency:

I am informed by the Consul of the United States at Matanzas of the following case:

Mr.THOMAS F.RODRIGUEZ, an American citizen, owner of the sugar estate "San Jose", near Isabel, in the province of Matanzas was ordered on the 16th October last, to appear before the Civil Governor of said Province, and then notified in a brusque manner, that he and his family, wife and eight children, must leave the Island by the 31st October.

Mr.Rodriguez consulted with the Consul who advised him that an order for the expulsion from the Island of an American citizen, should come from the Captain General at Habana, and be served through the proper channels.

Upon communicating the foregoing to the Department of State, the Consul is instructed to consult this office and request the amelioration of this decree of expulsion.

As this consulate general has no knowledge whatever of any such resolution of the General Government with respect to a citizen of the United States, I respectfully beg to be informed if any such decree of expulsion has been issued by the Government, and in that case, to be also advised of the reasons for the same; protesting at the same time, against the irregular pro-

Enclosure No. 2 —
With Despatch No. 231 —
H A B A N A ,November 25th 1896.

Copy.

U.S.CONSULATE GENERAL.

HABANA,November 21st,1896.

To His Excellency the Governor and Captain General of the Island of Cuba.

Excellency:

I am informed by the Consul of the United States at Matanzas of the following case:

Mr.THOMAS F.RODRIGUEZ,an American citizen,owner of the sugar estate "San Jose",near Isabel,in the province of Matanzas was ordered on the 16th October last,to appear before the Civil Governor of said Province,and then notified in a brusque manner,that he and his family,wife and eight children,must leave the Island by the 31st October.

Mr.Rodriguez consulted with the Consul who advised him that an order for the expulsion from the Island of an American citizen,should come from the Captain General at Habana,and be served through the proper channels.

Upon communicating the foregoing to the Department of State,the Consul is instructed to consult this office and request the amelioration of this decree of expulsion.

As this consulate general has no knowledge whatever of any such resolution of the General Government with respect to a citizen of the United States,I respectfully beg to be informed if any such decree of expulsion has been issued by the Government,and in that case,to be also advised of the reasons for the same; protesting at the same time,against the irregular pro-

Enclosure No. 3
With Despatch No. 234

ceeding on the part of the Governor of the Province of Matanzas against a peaceful and law-abiding American resident and proprietor.

I am also informed that all of Mr.Rodriguez' property has been destroyed by reason of the insurrection,and he is reduced to poverty,and without means of livelihood. His family still remains at Isabel,living upon charity of friends. In this case such unmerited severity against an American citizen as expulsion without the expression of any cause or for groundless reasons,would be an act of which in strict justice it is believed this Government is incapable.

I am, Sir, etc. etc.

(Signed) Joseph A.Springer,

Vice Consul General.

Enclosure No. 3 —
With Despatch No. 231 —
H A B A N A, November 25, 1896.

Copy.

CONSULATE GENERAL of the UNITED STATES of AMERICA.

Matanzas Nov.21.1896.

Joseph A. Springer, Esq.,

Vice Consul General, Habana.

Sir:-

I have the honor to transmit the following additional report relating to THOMAS F. RODRIGUEZ.

In an interview with the Civil Governor of this Province, on the 18th.instant, he informed me, that Mr.RODRIGUEZ would have to leave the Island within a few days or be arrested and imprisoned. He produced a number of letters, read a few extracts from from 2 or 3 of them, and said he had ample proof - aiding insurgents etc. - to have RODRIGUEZ shot.

Considerable bluff in all this, however. I gather from this interview it is the determination of Spanish authorities that Mr.RODRIGUEZ shall leave the Island or be subject to a long imprisonment, perhaps exile. As the Governor puts it:- "He will rot in prison before a trial is given".

I have informed Mr.RODRIGUEZ of this interview, and he goes to Habana Monday, will call on you personally and state his case.

My advice is to leave the Island soon as possible. Delay is dangerous.

Mr.RODRIGUEZ is a fine man, and I trust you will give him every assistance in your power.

I am, Sir,

Your obedient servant,

(signed) A. C. Brice.

U.S.Consul.

ASSISTANT SECRETARY
DEC 1 1896
DEPARTMENT OF STATE

No. 232

U. S. CONSULATE GENERAL.

INDEX BUREAU
REC'D.
DEC 1 1896
DEPT. of STATE

HABANA, November 25th, 1896.

Mr. LEE SPRINGER

TO THE

DEPARTMENT of STATE.

File

Case of ADOLPHUS TORRES, at Sagua.

Release has been ordered.

one enclosure.

No. 2 3 2.

U. S. CONSULATE GENERAL.

HABANA, November 25th, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

With reference to the case of Mr. ADOLPHUS TORRES, reported to the Department in despatches Nos. 176 and 187 of October 14th and 20th respectively, I have the honor to transmit copy-translation of a communication from the Governor General to the effect that no proof of the acts attributed to TORRES having appeared in the proceedings, his release is ordered.

It is stated, however, that his nationality was not alleged in the proceedings, and that his release is ordered without implanting the question of competency.

I am, Sir,

Your obedient servant,

Joseph N. Springer

Vice Consul General.

Enclosure.

The Marquis de Palmerola to Mr. SPRINGER, November 23, 1896.

Enclosure No.1.

With Despatch No.232.

H A B A N A , Nov.25th,1896.

TRANSLATION

GENERAL GOVERNMENT of the ISLAND of CUBA,

Secretary General's Office.

To the

(Vice) Consul General of the United States,

Habana.

Sir:-

His Excellency the Captain General in a communication dated 20th.instant,says to His Excellency the Governor General,as follows:-

"Excellency:- The nationality of Don ADOLFO TORRES "not having been made evident in the preliminary pro- "ceeding commenced at Sagua la Grande to ascertain "if certain acts committed by said TORRES and others , "were constructive of the crime of treason ("infiden- "cia"),said nationality not having been alleged in "the proceedings,and as the facts attributed to him "have not been proven,I have concluded to terminate "said proceeding,ordering the release of the parties "arrested,without implanting the question of competency. "Which I have the honor to inform Y.E.in reply to your "note of 9th instant.

And which by order of H.E.I have the honor to transmit to you for your knowledge and in answer to your polite note of the 6th instant.

God guard you many years. Habana,23rd Nov.,1896.

(Signed) El Marques de Palmerola.

TELEGRAM RECEIVED.

ASSISTANT SECRETARY
NOV 26 1896
DEPARTMENT OF STATE

Confirmed Dec. 1/96

From Havana

November 26, 1896.

Assistant Secretary of State
Washington, D.C.

Received ____ M.

Am informed that the declarations of "Competitor" prisoners are being taken again by ordinary marine court-martial. Confrontation of the master of the "Competitor" with witnesses day before yesterday lasting five hours. Shall I enter a protest even against preliminary proceedings by the naval authorities or the military authorities.

Springer

Com. Rec.,

Confirm, together
with copy of today's
date.

WR

233

Madrid Aug 9 92

No. 233.

U. S. CONSULATE GENERAL.

ASSISTANT SECRETARY
DEC 1 1896
DEPARTMENT OF STATE

INDEX BUREAU
REC'D.
DEC 1 1896
DEPT. OF STATE

HABANA, November 26.1896.

Mr. LEE SPRINGER

TO THE

DEPARTMENT of STATE.

File

File

Case of MANUEL FERNANDEZ CHAQUEILO.

----------O---------

One enclosure.

----------O---------

No. 233.

U. S. CONSULATE GENERAL.

HABANA, November 26.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

I enclose herewith copy-translation of a letter received from MANUEL FERNANDEZ CHAQUEILO,now imprisoned in the Cabaña fortress,the particulars of which case have been communicated to the Department in Nos.168,175,178,and 188, of October 9th.14th. (2) and 21st.respectively.

It would seem from this letter,that it is the intention of the authorities to continue his case under the military jurisdiction.

I am,Sir,

Your obedient servant,

Vice Consul General.

Enclosure:-

MANUEL FERNANDEZ CHAQUEILO to Mr.SPRINGER,received Nov,25,1896

Enclosure No. 1 ——
With Despatch No. 233 —
H A B A N A, November 26, 1896.

Copy translation.

Received November 25.1896.

To the

(Vice) Consul General of the United States,

at Habana.

Sir:-

On the 15th.October last,I was visited in this fort, where I have lain for the past four months,by a representative from your Consulate,to notify me of the decision of the Captain General,and at the same time to read me several parts of the protocol,according to which an attorney and advocate would be appointed for me as an American citizen which I am. But as my case is now in the hands of the Instructing Judge (Juez Instructor) and the day is rapidly approaching upon which it should begin,as they are waiting only for the Sergeant,who is now in the field,I beg to inform you of the foregoing for the corresponding effects.

I am,Sir,

Your obedient servant,

(signed) MANUEL FERNANDEZ (CHAQUEILO)

---------O---------

No. 234.

ASSISTANT SECRETARY
DEC 1 1896
DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

INDEX BUREAU
REC'D.
DEC 1 1896
DEPT. OF STATE

HABANA, November 26th, 1896.

Mr. DEEK SPRINGER

TO THE

DEPARTMENT of STATE.

Confirming telegram relative to trial of the COMPETITOR" prisoners.

No. 2 3 4 .

ASSISTANT SECRETARY
DEC 1 1896
DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

HABANA, November 26th, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State.

Washington . D. C.

Sir:-

I have the honor to confirm the following telegram in cypher transmitted this morning:-

"Assistant Secretary of State. Washington. D. C.

" Am informed that the declarations of COMPETITOR" "prisoners are being taken again by ordinary marine "court-martial. Confrontation of the master of the "COMPETITOR" with witnesses day before yesterday last- "ing five hours. Shall I enter a protest even against "any preliminary proceedings by the naval authorities "or the military authorities.?. (Signed) SPRINGER.

I understand that these preliminary proceedings are intended as investigatory, the case being in "sumario". (the nearest equivalent of which is taking declarations for a grand jury indictment.) But in the case of SANGUILY, the United States declined to recognize the validity of the military jurisdiction in preliminary or at any stage of the proceedings.

I am, Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

TELEGRAM RECEIVED. Cipher

Ackd Nov. 30/96

From Havana

November 27, 1896.

Assistant Secretary State.

Washington

Received 2:19 P. M.

Secretary of State.
NOV 27 1896

Collector of Customs demands of the agents Ward line the deposit within three days twelve thousand sixteen dollars for fines imposed since '92, which are pending resolution through diplomatic channel. Agents will suffer further execution proceedings unless the demand is suspended.

Springer.

DEPT. OF STATE
NOV 28, 4.00 PM 1896
CHF. CLKS. OFFICE
RECEIVED

TELEGRAM RECEIVED.

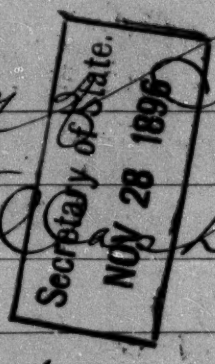
14 answd. Dec. 3/96

577 From Havana 28.

Nov 28, 1896.

Secretary of State,

Received 4. P. M.



Washington, D.C.

Pendleton sailed today

not arrested.

Olivette 14378

Springer

Fw

ASSISTANT SECRETARY
DEC 5 1896
DEPARTMENT OF STATE

No. 235.

INDEX BUREAU
REC'D.
DEC 5 1896
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, November 28th, 1896.

Mr. ~~ADEE~~ SPRINGER

TO THE

DEPARTMENT of STATE.

Case of THEODORE L. VIVES.

Fdc

---------o---------

One enclosure.

---------o---------

No.2 3 5.

U. S. CONSULATE GENERAL.

HABANA, November 28th,1896.

Hon:- William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:-

With reference to the case of THEODORE L.VIVES, reported in dispatch No.225,of 21st instant, I transmit herewith copy-translation of a note from the General Government,to the effect that the Captaincy General had commenced proceedings to determine whether it would accept or decline its competency in the case.

As stated in my previous despatch,I had already made the usual claim for the ordinary civil jurisdiction in this case.

I am, Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

One enclosure:-

The Marquis de PALMEROLA to Mr.SPRINGER, Novr,26th,1896.

Enclosure No.1.

With Despatch No. 235.

H A B A N A , November 28th,1896.

TRANSLATION.

General Government of the Island of Cuba.

Office of the Secretary General.

In answer to your courteous note of the 21st instant, requesting to be informed of the reasons of the imprisonment of the American citizen Mr.Theodore L. Vives y Pons, I have the honor to inform you by order of the Governor General, that proceedings were instituted against said person by the court of instruction of Guadalupe, as he was accused of propagating news unfavorable to the Spanish nationality, the ordinary jurisdiction having inhibited the cognizance of the case in favor of that of war on the 18th instant; the Captaincy General having now initiated proceedings as to whether it should accept or decline its competency in said case.

God guard you many years. Habana, 26 November, 1896.

(Signed) El Marques de Palmerola.

To the Consul General of the United States.

No. 236.

ASSISTANT SECRETARY
DEC 2 1896
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Secretary of State
DEC 3 1896

HABANA, November 28.1896.

Mr. ~~XXXX~~ SPRINGER.

TO THE

DEPARTMENT of STATE.

Proclamation of Governor and Captain General Weyler.

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Two enclosures.

----------0---------

No. 236.

U. S. CONSULATE GENERAL.

HABANA, November 28.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honor to transmit copy and translation of a recent proclamation of the Governor and Captain General, respecting the gathering of corn into the towns, in the provinces of Pinar del Rio, Matanzas and Habana.

1/2

I am, Sir,

Your obedient servant,

Vice Consul General.

Enclosures:-

1. Proclamation.

2. Translation.

Enclosure No.1.

With Despatch No. 2 3 6.

HABANA, November 28th,1896.

GACETA DE LA HABANA

PARTE OFICIAL

ADMINISTRACION GENERAL

GOBIERNO GENERAL DE LA ISLA DE CUBA

BANDO

DON VALERIANO WEYLER Y NICOLAU, Marqués de Tenerife, Gobernador General, Capitán General de la isla de Cuba y General en Jefe de este Ejército, etc., etc.

Existiendo hoy con motivo de las nuevas cosechas las mismas circunstancias que aconsejaron mi bando de 14 de Mayo último,

ORDENO Y MANDO:

Artículo 1º Se fija un plazo hasta 20 de Diciembre próximo venidero para que todo el maíz depositado en los caseríos del campo de las provincias de Pinar del Río, Habana y Matanzas, sea trasladado por sus dueños al poblado más próximo que tenga destacamento, ó á la estación de vía férrea inmediata, facilitándoles las autoridades locales las carretas ó acémilas necesarias, cuyo servicio satisfarán los interesados con la venta del maíz.

Art. 2º Los Jefes de columna, durante el curso de sus operaciones y dentro del plazo marcado, auxiliarán con su fuerza el transporte del mencionado artículo, siempre que este servicio no les separe de su objetivo. La Administración Militar podrá comprar el maíz al precio corriente, si es de buena calidad, ó admitirlo en depósito en sus almacenes, dando el debido resguardo al propietario.

Art. 3º Terminado el plazo marcado en el artículo 1º, será considerado como contrabando de guerra todo el maíz que se halle depositado en las sitierías, el cual será desde luego embargado y sus dueños sometidos al oportuno procedimiento que habrá de incoarse.

Habana, Noviembre 24 de 1896.

Valeriano Weyler.

Enclosure No. 2.
With Despatch No. 2 3 6.
H A B A N A , November 28th, 1896.

TRANSLATION.

GENERAL GOVERNMENT OF THE ISLAND OF CUBA.

PROCLAMATION.

DON VALERIANO WEYLER Y NICOLAU, Marquis of Tenerife, Governor General, Captain General of the island of Cuba and General in Chief of this Army, etc. etc.

WHEREAS, by reason of the new crops the same circumstances, which led me to issue my proclamation of the 14th of May last, now prevail;

I ORDER AND COMMAND:

ARTICLE 1.- A period is hereby given until the 20th of next December for the transfer of all the corn gathered in the fields of the provinces of Pinar del Rio, Habana and Matanzas by its owners to the nearest town quartering a military force, or to the nearest rail road station; the local authorities will furnish the carts or pack mules required, this service to be paid by the parties interested, with the proceeds of the sale of the corn.

ARTICLE 2.- The Commanders of columns, during the course of their operations and within the period hereby fixed, will aid with their forces the transportation of the said article, provided such service does not interfere with their other duties. The Military Administration may purchase the corn at the current price, if of good quality, or admit it in deposit in their stores, giving the owner a receipt therefor.

ARTICLE 3.- At the expiration of the period fixed by arti-

cle 1 all the corn deposited in the plantations shall be considered as contraband of war, and will be immediately seized, submitting its owners to the usual proceeding which will be initiated.

Habana, November 24th, 1896.

VALERIANO WEYLER.

ASSISTANT SECRETARY
DEC 2 1896
DEPARTMENT OF STATE.

No. 237.

U. S. CONSULATE GENERAL.

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DEC 2 1896
DEPT. OF STATE

HABANA, November 28.1896.

Mr. ~~DEEX~~ SPRINGER.

TO THE

DEPARTMENT of STATE.

Confirming telegram.

----------0----------

No. 237.

U. S. CONSULATE GENERAL.

HABANA, November 28.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

In consequence of a letter received from Messrs. HIDALGO and Company, agents in this city of the New York and Cuba Mail S.S.Company, - of which I enclose copy - I sent in cypher yesterday the following telegram:-

"Assistant Secretary of State, Washington.
"Collector of Customs demands of the agents Ward Line
"the deposit within three days twelve thousand six-
"teen dollars for fines imposed since ninety two which
"are pending resolution through diplomatic channel.
"The agents will suffer further execution proceedings
"unless the demand is suspended. (signed) SPRINGER."

I am, Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

Enclosure:-

Messrs.HIDALGO and Co.to Mr.SPRINGER, Nov.27.1896.

Enclosure No. 1.

With Despatch No. 2 3 7.

H A B A N A , November 28th 1896.

COPY.

HABANA, November 27th, 1896.

To the Vice Consul General of the United States,

Habana.

Sir:

On behalf of Messrs. James E. Ward and Company, agents for the "New York and Cuba Mail Steamship Company" we beg to submit for your knowledge the enclosed copies of two communications, which have been addressed us by the Administration of the Custom House of this port, viz:

The first one, dated the 19th instant, ratifying the suspension accorded by the Colonial Minister, Madrid, regarding the executory proceedings, which were exacted against us, as consignees of the Steamers of the Line above named, for the purpose of collecting certain moneys pretended to be due the Collector's deputy from certain fines imposed on steamers of the Line, now subject to diplomatic discussion between the Governments of Madrid and Washington.

The second one, dated the 25th instant, ordering us to deposit with the said Administration of the Custom House the amount of $12016.52 in spanish gold, tantamount of fines imposed on the steamers of the "New York and Cuba M.S.S.Co., from 1892 to date, the collection of which has equally been suspended by earlier decree of the Colonial Ministry at Madrid for the same reason of being subject to diplomatic discussion between the respective Governments, and still pending resolution.

As you will observe the Administration of Customs

specially refers to and pretends to apply, as a general rule, under terms of interpretation most prejudicial to the interests of the Line, a disposition which obviously refers to the case of the first communication exclusively.

Considering that by so proceeding, the "New York & Cuba M.S.S.Co., suffers prejudice, we beg to request of you, if deemed pertinent, to take the matter in hand and try to obtain revocation of the order for depositing the money which is served on us by the Administration, and which under the regulation of same will in case of non-compliance on our part entail the usual sequence of levy and seizure of goods for sale at auction.

We are, Sir, your obt. servants,

(Signed) pp. Hidalgo and Co.,

E. Erdmann.

No. 238.

ASSISTANT SECRETARY
DEC 2 1896
DEPARTMENT OF STATE

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DEC 2 1896
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, November 28th, 1896.

Mr. ~~Uhl~~ SPRINGER

TO THE

DEPARTMENT of STATE.

Extradition case of JUAN URRIALDE MARTIN.

---------o----------

One enclosure.

----------o----------

Send copy of despatch and enclosure No. 1, to the Governor of Newyork, for his information

Return enclosed documentary evidence to Mr. Mosher

No. 238.

U. S. CONSULATE GENERAL.

HABANA, November 28th, 1896.

Honorable William W. Rockhill,
Assistant Secretary of State,
Washington, D.C.

Sir:

With reference to Consul General Williams' despatches numbers 2973, and 2974 of the 15th May last relative to the extradition of JUAN URRIALDE MARTIN, accused of having swindled the firm of Messrs. August Belmont and Company, of New York, I beg to transmit herewith copy-translation of a communication dated the 25th instant from the General Government declining to accede to the request of extradition of said person.

I am, Sir, very respectfully,

Your obedient servant,

Vice Consul General.

One enclosure: The Secretary of the General Government to Mr. Springer, November 25th, 1896.

No. 238.

U. S. CONSULATE GENERAL.

HABANA, November 28th, 1896.

Honorable William W. Rockhill,
Assistant Secretary of State,
Washington, D.C.

Sir:

With reference to Consul General Williams' despatches numbers 2973, and 2974 of the 15th May last relative to the extradition of JUAN URRIALDE MARTIN, accused of having swindled the firm of Messrs. August Belmont and Company, of New York, I beg to transmit herewith copy-translation of a communication dated the 25th instant from the General Government declining to accede to the request of extradition of said person.

I am, Sir, very respectfully,

Your obedient servant,

Vice Consul General.

One enclosure: The Secretary of the General Government to Mr. Springer, November 25th, 1896.

Enclosure No. 1

With Despatch No. 238

HABANA, November 28, 1896.

TRANSLATION.

GENERAL GOVERNMENT of the ISLAND of CUBA.

OFFICE of the SECRETARY GENERAL.

In answer to your courteous notes of the 30th April and 11th May of the present year, in which you request the retention in a safe place of Juan Urrialde y Martin, supposed author of the crime of swindle to Messrs. August Belmont & Company, bankers of New York, and to your note of the 2nd June last soliciting the extradition of the said person in view of documents exhibited to that effect, which documents accredit his criminality, and stating that the Government which you so worthily represent supposes to have the right to try and condemn the said Urrialde in the United States, in accordance with the extradition treaty ruling with Spain of the 5th of January, 1877, and ratified by the additional agreement of the 7th August 1882.

His Excellency the Governor General has been pleased to direct that you be informed that it is not possible to accede to the demand presented by you in the name of your Government, because the said Urrialde is subject to the jurisdiction of the Judge of instruction of the Cathedral district of this city, where he is being tried for the crime above mentioned, in accordance with article 8 of the Treaty referred to which provides that in the present case of a Spanish citizen, his delivery is not obligatory.

I believe that your said notes on the subject are hereby duly answered, and specially the petition relative to the extradition of Juan Urrialde y Martin, accompanying herewith the original documents which on the 10th June last you were pleased to forward to this General Government in connection with the said extradition.

God guard you many years. Habana, 25 November, 1896.

(Signed) El Marques de Palmerola.

To the Consul General of the United States at Habana.

No. 239.

ASSISTANT SECRETARY
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DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

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DEPT. OF STATE

HABANA, November 28th, 1896.

Mr. ~~WEE~~ SPRINGER

TO THE

DEPARTMENT of STATE.

Case of OSCAR CESPEDES, under arrest at Matanzas.

----------o----------

One enclosure.

----------o----------

No. 239.

U. S. CONSULATE GENERAL.

HABANA, November 28th,1896.

Honorable William W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

Sir:

With reference to previous correspondence in relation to the case of OSCAR CESPEDES,under arrest at Matanzas,I beg to transmit copy of a letter received from our Consul at said port in connection with same.

I am,Sir,your obt.servant,

Judson A. Springer

Vice Consul General.

One Enclosure: Copy of letter referred to.

Enclosure No.1.

With Despatch No.239.

H A B A N A , November 28th,1896.

COPY.

Consulate of the United States
of America.

Joseph A.Springer,Esquire,
U.S.Vice Consul General,
Habana.

Sir:

I have the honor to inform you that the case of Oscar Cespedes came up before the Audiencia of this district November 24th instant to determine jurisdiction. Decision rendered on 25th that Mr.Cespedes should be tried by military court-martial. Two judges dissenting. This decision looks very serious for Mr.Cespedes and steps should be taken at once to have this decision revoked,as it is clearly in violation of the Protocol of 1877. I have cabled Department regarding decision, will also protest through Civil Governor,the injustice of this decision. I will send you to-morrow copy of deposition of Oscar Cespedes,also copy of affidavit from Key West. I asked for a copy of official decree in this case,but so far no attention has been paid to my request.

I am,etc. etc.

(Signed) A.C.Brice,
Consul.

No. 240.

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DEC 5 1896
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, November 28.1896.

Mr. ~~KEK~~ SPRINGER.

TO THE

DEPARTMENT of STATE.

Rec'd

Receipt of instructions.

---------0---------

No. 230.

U. S. CONSULATE GENERAL.

HABANA, November 28,1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honor to acknowledge the receipt of the Department's instructions from No.149,October 28,to No.173,November 23,both numbers inclusive.

I am,Sir,

Your obedient servant,

Vice Consul General.

ASSISTANT SECRETARY
DEC 5 1896
DEPARTMENT OF STATE

No. 241.

U. S. CONSULATE GENERAL.

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DEPT. OF STATE

HABANA, November 28.1896.

File

Mr. [redacted] SPRINGER.

TO THE

DEPARTMENT of STATE.

Confirming telegram regarding Mr.PENDLETON,who sailed today for Key West by the S.S."Olivette".

Filed

No. 241.

U. S. CONSULATE GENERAL.

HABANA, November 28.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honor to acknowledge the receipt of the following telegram:-

"SPRINGER,American Consulate General,Habana. Report "facts as to PENDLETON's arrest. Do what you prop- "erly can to prevent any injury to his health which "is said to be delicate. (Signed) OLNEY."

This office has no information of any such arrest. I have made inquiries and learn that Mr.PENDLETON,who represented the New York"Journal",and recently came here,with the intention of making frequent trips to Key West,carrying his own despatches to avoid the Government censure,was not allowed to proceed on the S.S. "Aransas" which sailed Thursday last,26th.instant,for New Orleans,touching at Key West. The report is that Mr.PENDLETON perceived he was watched by the police,took out several papers from his note book,tore them up and threw them overboard,and then came ashore. I cannot say what truth there is in this report,as Mr.PENDLETON has made no representation of the matter to this office.

I am informed he sailed today for Key West on the "Olivette",and have so telegraphed the Department.

I am,Sir,

Your obedient servant,

Jerome J. Springer

Vice Consul General.

2D ASSISTANT SECRETARY
DEC 1 1896

TELEGRAM RECEIVED.

ASSISTANT SECRETARY
DEC 1 1896
DEPARTMENT OF STATE

Confd Dec 4/96

From Havana

Nov 30, 1896

Received _____ M.

Asst. Secretary State
Washington
D.C.

Superior Court Matanzas, session twenty fourth instant, to decide competency between civil and military jurisdiction for the earnest* determination (?) of the case reported in my despatch No 205 has decided in favor of military jurisdiction

Sprniger

Com. Prod
Confirm by the mail
Cable instruction of this

* probably earliest = "mas pronta"
Able

Bidder

TELEGRAM RECEIVED IN CIPHER.

Secretary of State
NOV 30 1896

From Havana, Nov. 30, 1896.

Assistant Secretary of State,

Washington, D.C.

Pendleton was not arrested. Owing to the informality his passport was not permitted to leave last Thursday. Sailed on Saturday. As his antecedents and object frequent trips are known by the authorities, cannot consider his return would be advisable.

Springer.

Biddle.

RECD. DEC 5 1896 DEPT. OF STATE

Treas for Consideration and return. Dec. 9/96

No. 242.

U. S. CONSULATE GENERAL.

HABANA, November 30.1896.

Mr. SPRINGER

TO THE

DEPARTMENT of STATE.

Discharge of seaman PAULUS DAHLIN of the Schr."FLORENCE & "LILLIAN".

----------0----------

Four enclosures.

----------0----------

No. 242.

U. S. CONSULATE GENERAL.

HABANA, November 30.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

On the 29th.September last,PAULUS DAHLIN,a seaman belonging to the American Schooner "FLORENCE & LILLIAN,of Bridgeton,N.J.was discharged in conformity with paragraphs 217 and 218 of Consular Regulations,on account of sickness, and sent to the Garcini Hospital of this city. The sum of twenty seven dollars as the balance of wages due him,and twenty dollars for one month's extra wages,altogether $47.U.S. was collected from the vessel,and remitted to the credit of the United States Treasury in the accounts of Consul General LEE for the quarter ending September 30th.1896.

The seaman died from yellow fever on the second October, and as the master of the vessel had left a written guarantee for the hospital expenses to be incurred by said seaman, this office paid the amount of the hospital expenses,$15.25, and funeral,$21.20,altogether $36.45 Spanish gold.

Upon the return of the vessel,having in the meantime changed masters,the present master objects to the payment of these expenses,which,however,he has paid under protest; claiming that the same should be taken from the wages collected for account of the seaman;and furnishes me with a copy of the letter he has written to the Honorable Secretary of the Treasury,which I transmit.

The seaman left a bag of clothing absolutely valueless. A search of it for some means of identification in order that the United States may properly dispose of the amount

No. 242

U. S. CONSULATE GENERAL.

HABANA,

---

remitted in his favor, resulted in finding a Swedish Postal Savings Bank book - No.73,217 - which shows a deposit of 30 Kröner, and the covers of a memorandum book bearing his signature, - both of which I now transmit.

I am, Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

Enclosures:-

1. Copy of letter of Captain Cobb to the Secretary of the Treasury.
2. Postal Savings Bank book No.73,217.
3. Cover of Memorandum book.
4. Certificate of account and of death.

No. 242

U. S. CONSULATE GENERAL.

HABANA,

---

remitted in his favor, resulted in finding a Swedish Postal Savings Bank book - No.73,217 - which shows a deposit of 30 Kröner, and the covers of a memorandum book bearing his signature, - both of which I now transmit.

I am, Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

Enclosures:-

1. Copy of letter of Captain Cobb to the Secretary of the Treasury.
2. Postal Savings Bank book No.73,217.
3. Cover of Memorandum book.
4. Certificate of account and of death.

Filed

No. 2 4 3.

U. S. CONSULATE GENERAL.

RECD.
DEC 5 1896
DEPT. OF STATE

HABANA, November 30th, 1896.

Mr. ~~KEE~~ SPRINGER

TO THE

DEPARTMENT of STATE.

Confirming telegrams, respecting alleged arrest of Mr.

C.B.PENDLETON.

---------0----------

No. 243.

U. S. CONSULATE GENERAL.

HABANA, November 30.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

With reference to my previous despatch No.241.of 28th. instant,respecting the alleged arrest of Mr.C.B.PENDLETON, I have the honor to acknowledge receipt of your cablegram:-

"Washington,Nov.28.1896. Is C.B.PENDLETON under ar-
"rest? On what charges? (Signed) ROCKHILL."

Having thoroughly investigated the matter today,I have cabled as follows:-

"Assistant Secretary of State,Washington,D.C.
"PENDLETON was not arrested. Owing to informality in
"his passport,was not permitted to leave last Thursday.
"Sailed on Saturday. As his antecedents and objects
"of frequent trips are known by the authorities,cannot
"consider his return would be advisable.(S'g'd.) SPRINGER".

Which I beg to confirm.

I am,sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

P.S. December 2.1896. Mr.PENDLETON arrived again from Key West this morning.

Buy.

Tille

TELEGRAM RECEIVED.

Cipher

INDEX BUREAU REC'D. DEC 2 1896 DEPT. OF STATE

ASSISTANT SECRETARY DEC 1 1896 DEPARTMENT OF STATE.

Confd Dec. 5/96

From Havana

December 2, 1896.

Assistant Secretary State

Washington D.C.

Received 11:45 A.M.

No information has been received as yet officially by the Government from Matanzas with respect to the case reported. Unofficially am assured Government will abide by its communication November 14th. The grounds for the decision Court inhibiting civil jurisdiction has been published Matanzas newspaper as capture with arms in hand.

Springer

Com Dept

Confirm file

No. 244.

ASSISTANT SECRETARY
DEC 7 1896
DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

REC'D.
DEC 5 1896
DEPT. OF STATE

HABANA, December 2.1896.

Mr. ~~LEE~~ SPRINGER.

TO THE

DEPARTMENT of STATE.

Case of OSCAR CESPEDES. Confirming telegrams.

----------O---------

Four enclosures.

----------O---------

No. 244.

U. S. CONSULATE GENERAL.

HABANA, December 2.1896.

Honorable William W.Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

On the 30th.ultimo I sent the following telegram,which I now confirm:-

"Assistant Secretary of State,Washington,D.C. Superior "Court Matanzas session twenty fourth instant,to decide "competency between civil and military jurisdiction for the "cognizance of the case reported in my despatch No.two hun- "dred five has decided in favor military jurisdiction. "(signed) SPRINGER."

On the 1st.instant I received the following:-

"SPRINGER,Acting Consul General,Habana. Ascertain and re- "port immediately the grounds upon which Superior Court "Matanzas bases decision that case reported your 205 be- "longs to military jurisdiction. (signed) OLNEY."

To which I have today replied:-

"Assistant Secretary of State,Washington,D.C. No informa- "tion has been received as yet officially by the Govern- "ment from Matanzas with regard to the case reported. Un- "officially am assured Government will abide by its commu- "November fourth.
nication. The grounds for the decision Court inhibiting "civil jurisdiction has been published Matanzas newspaper "as capture with arms in hand. (signed) SPRINGER".

With further relation to the case,I have the honor to transmit copy of a letter from the United States Consul at Matanzas,with copies of an affidavit of WALTER W. THOMPSON, of Key West,and the deposition of OSCAR CESPEDES.

1/ 2/ 3/

I also transmit a translation of the publication of the

4/

No.

U. S. CONSULATE GENERAL.

HABANA.

disposing part of the finding of the Superior Court at Matanzas, as reported in the Matanzas newspaper referred to in my telegram.

I am, sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

Enclosures:-

1. Mr. BRICE to Mr. SPRINGER, November 28. 1896.

2. & 3. Affidavit and Deposition.

4. Translation from "LA REGION", Matanzas.

Enclosure No. 1.
With Despatch No.244. December 2,1896.
Copy.

CONSULATE of the UNITED STATES.

Matanzas,November 28th.1896.

State of Florida)

JOSEPH A. SPRINGER,Esq.,

U.S.Vice Consul Gen. Habana.

Sir:-WALTER W. THOMPSON,being duly sworn,deposes and says, that I have the honor to enclose herewith copy-affidavit of WALTER W.THOMPSON and deposition of OSCAR CESPEDES. I have good reason to believe that Captain Gen.WEYLER recommended (or ordered) OSCAR CESPEDES to be turned over to Civil Authorities for trial,and that the Court (majority of Judges) signed this recommendation of Captain General, "Giving decision for military trial". A bitter jealousy exists here between civil and military authorities,and close inquiry in this case corroborates statement above. There is evidently a clash among the higher officials. (signed) WALTER W. THOMPSON.

I am,Sir,

Your obedient servant,

State of Florida)
) (signed) A. C. BRICE.
County of Munroe.)

U.S.Consul.

The above statement is this day sworn and subscribed by WALTER W. THOMPSON,to me known to be the editor of the "Key West Herald",a newspaper printed and published in the City of Key West,County of Munroe and State of Florida.

Enclosures:-
No.1.Affidavit W.W.THOMPSON.
(SEAL) (signed) W. HUNT HARRIS
" 2.Deposition OSCAR CESPEDES. Notary Public of the State of Florida at large.

(SEAL) Certificate of the Spanish Vice Consul.

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----------O---------

Enclosure No/2.
With Despatch No. 244. December 2,1896
Copy.

State of Florida)
)
County of Munroe.)

WALTER W. THOMPSON,being duly sworn,deposes and says, that my name is WALTER W. THOMPSON; I reside in the City of Key West,State of Florida,and I am the editor of the "Key West Herald", a daily newspaper printed and published in said city and county.

I know OSCAR CESPEDES,and have known him for twelve years,during which time he resided in the City of Key Wast. Owing to the lack of authentic news from the Spanish and Cuban war,I as editor of said "Key West Herald" engaged Mr. CESPEDES to go to Cuba and represent the said "Key West Herald".

(signed) WALTER W. THOMPSON.

State of Florida)
)
County of Munroe.)

The above statement is this day sworn and subscribed by WALTER W. THOMPSON,to me known to be the editor of the "Key West Herald",a newspaper printed and published in the City of Key West,County of Munroe and State of Florida.

(SEAL) (signed) W. HUNT HARRIS
Notary Public of the State of Florida at large.

(SEAL) Certificate of the Spanish Vice Consul.

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Enclosure No. 3
With Despatch No. 244
HABANA, December 2, 1896.

Copy.

DEPOSITION of OSCAR de CESPEDES, taken at the Jail at Matanzas, October 3rd. 1896.

----------o----------

I am a native of Key West, Fla., 20 years of age, - came to Cuba on the 3rd. of July 1896 on board the "Commodore", as a reporter to the "Key West Herald".

I was captured on September 2nd. 1896 at Hato de Jicarita, near Zapata, by the Spanish column of Col. MOLINA.

At the time I was captured I was lying on the roadside under shelter of trees and sick with fever and without arms of any nature whatever. I was then placed on a horse and started under march and illtreated all the way to Güira de Macurijes, the leader of my horse striking me with the barrel of his rifle, the blows meant for the horse.

I was kept at Güira de Macurijes two days and finally brought to Matanzas and confined at San Severino Castle, and on account of my sickness I was sent to the Infirmary at the city jail where I have remained to date.

I am a native born American citizen, and do hereby declare under oath that I came to Cuba as before stated as a reporter and that I have been in no wise connected with the Insurrection now going on in Cuba, and that my early release be procured by the Government of the United States.

I further state that I have been sick with fever during the last three months, on account of which my health is very much broken down, and at times became hopeless of life. I have been fairly treated at the Jail infirmary.

(signed) OSCAR de CESPEDES.

(SEAL) Before me witness my hand and official seal at Matanzas, the day and year first above written.

(signed) A. C. BRICE.

U.S.Consul.

Enclosure No.1.

With Despatch No.244.

H A B A N A , December 2,1896.

----------O---------

TRANSLATION.

UNITED STATES CONSULATE, Matanzas, Cuba.

I, the undersigned Consul of the United States at Matanzas, Cuba, do hereby certify that the foregoing is a true and faithful copy of the Deposition of OSCAR de CESPEDES, the original of which is on file at this Consulate.

(SEAL) WITNESS my hand and official seal at Matanzas, this 28th. day of November, 1896.

(signed) A. C. BRICE.

U.S.Consul.

From LA REGION of Matanzas, 26th November, 1896.

On Tuesday noon, the hearing to resolve the question of competency raised between the War Jurisdiction and the Court of Alfonso XII, took place in the case against the American citizen Mr. Oscar Cespedes y Figueredo for the crime of rebellion.

The following is the dispositive part:

CONSIDERING: That although citizens of the United States by virtue of the protocol of the 12th of January, 1877, enjoy the privilege of not being tried for any offence whatsoever committed in Spanish territory by any other Tribunal but the ordinary, they are excluded from such a privilege upon committing any offence, the cognizance of which may correspond to a special jurisdiction, if captured with arms in hand.

----------O---------

CONSIDERING: That from the copy of the proceedings furnished by the War Jurisdiction there appear sufficient data to accuse Mr. Oscar Cespedes as the perpetrator of the crime of rebellion, and to be comprised in the exception above referred to, because of having been captured with arms in hand, for which reason it is proper that he should be tried by the war jurisdiction and not by the ordinary, as provided by number 3 of article 9 of the Code of Military Jurisdiction;

Enclosure No.14.

With Despatch No.244.

H A B A N A , December 2,1896.

TRANSLATION.

From "LA REGION" of Matanzas,26th November,1896.

TRIAL.

On Tuesday noon, the hearing to resolve the question of competency raised between the War Jurisdiction and the Court of Alfonso XII. took place in the case against the American citizen Mr.Oscar Cespedes y Figueredo for the crime of rebellion.

The following is the dispositive part:

CONSIDERING: That although citizens of the United States by virtue of the protocol of the 12th of January,1877,enjoy the privilege of not being tried for any offence whatsoever, committed in Spanish territory by any other Tribunal but the ordinary,they are excluded from such a privilege upon committing any offence,the cognizance of which may correspond to a special jurisdiction,if captured with arms in hand.

CONSIDERING: That from the copy of the proceedings furnished by the War Jurisdiction there appear sufficient data to accuse Mr.Oscar Cespedes as the perpetrator of the crime of rebellion,and to be comprised in the exception above referred to,because of having been captured with arms in hand, for which reason it is proper that he should be tried by the war jurisdiction and not by the ordinary,as provided by number 3 of article 9 of the Code of Military Jurisdiction;

Seen:legal provision to article 1st of the protocol of the 12th of January,1877;

We hereby declare that the cognizance of the case which has originated this question of competency corresponds to the War Jurisdiction. Report this decision to His Excellency the Captain General and to the Judge of Instruction of Alfonso XII.

Matanzas,25 November,1896.-(There are several signatures.)

NOTE:- The Oscar Cespedes landed in this Island on the 23rd June last in the expedition commanded by Ricardo Trujillo and joined the insurgent band of Lacret.

Was made a prisoner in the Jicarita hills by the column of colonel Molina and is at present in the San Severino fort of this city.

---------o---------

No. 245.

ASSISTANT SECRETARY
DEC 9 1896
DEPARTMENT OF STATE.

INDEX BUREAU
RECD.
DEC 9 1896
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, December 3rd, 1896.

Secretary of State
DEC 10 1896

Mr. ~~DEE~~ SPRINGER

TO THE

DEPARTMENT of STATE.

File

Forwarding lists of indigent American citizens in Cienfuegos and Trinidad.

---------o---------

2 enclosures.

Copy

---------o---------

No. 2 4 5.

U. S. CONSULATE GENERAL.

HABANA, December 3,1896.

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:-

With reference to the Department's instruction No.154, of October 30th,to obtain and forward information as to the probable number of indigent American citizens in the Island, I have the honor to transmit lists received from the U.S. Consul at Cienfuegos,of those in his jurisdistion,and of those in Trinidad and vicinity; the Consular Agent at Zaza reporting that there are none in his jurisdiction.

1/2

To these lists of names,merely,and the number of persons comprised in the family,I have added the date respecting their inscription in the Register of this consulate general,such as number of entry,year,age,condition and occupation at the date of registry,and date and place of naturalization,which will show the origin and length of residence here of each citizen.

I am, Sir, Your obedient servant,

Louis H. Pierson

Vice Consul General.

Enclosures:
1. list of indigent american citizens at Cienfuegos.
2. " " " " Trinidad.

Enclosure No.1. with Despatch

No. 2 4 5,

U. S. CONSULATE GENERAL.

HABANA, December 3rd,1896.

LIST of indigent American citizens in CIENFUEGOS.

-----o-----

ANTONIO SUAREZ del VILLAR.- Wife and 4 children. 6.persons.
1880.
No.1687. 29 years; native of Cuba; single; commerce; transient.
Naturalized in New York, September 30,1878.

NICOLAS SUAREZ del VILLAR.- Wife and daughter. 3 persons.
1880.
No.2224. 18 years; native of Cuba; single; student; transient.
Obtained papers at Philadelphia, May 11,1880.

The widow of GERMAN BARRIO. Son and daughter. 3.persons.
1877.
No.3015. 21 years; native of Cuba; single; commerce.

ANTONIO PALACIOS. Wife and 4 children.6.persons.
1871.
No. 265. appears in this consulate general the inscription of
ALMOPALACIOS.24 yrs; Cuba; single, naturalized, residing Trinidad

MANUEL ALBAREDA.
1879.
No.2458. 38 years; Cuba; married; commerce.
Naturalized New York Sup: Court, October 27,1878.

RAMON CURBELO. Wife and 6 children.8. persons.
1880.
No.2203. 35 years; Cuba; married; commerce.
Naturalized New York June 20th,1874.

The widow of LOUIS FERNANDEZ, and 6 children. 7 persons.
1879.
396. 31 years; Cuba; married; commerce.
Naturalized New York, october,1878.

ANDRES CASTELLANOS.
1880.
No.2040 35 years; Cuba; single; cigar-maker;.
Naturalized in Philadelphia, April 3rd,1876.

HENRY LORENA. Not registered in this consulate general.
ANACLETO FERNANDEZ. " " 37 persons in all.

Enclosure No.2 With Despatch

No.2 4 5.

U. S. CONSULATE GENERAL.

HABANA, December 3rd,1896.

LIST of indigent American citizens in TRINIDAD.

-----o-----

CHARLES JERMOTT. Wife and 6 children.8 persons.
1879.
No.142. 25 years; born in Trinidad; married,farmer;of Amer:parents

JOSEPH M.PAINE. wife and 6 children.8 persons.
1879.
No.1112. 27 years; born in U.S.; single; domiciled at Trinidad.

MIGUEL XIQUES.

Not registered at this consulate general.

MANUEL CASSENEIRA.
1879.
No.1338. 22 years; single; carpenter; born in Cuba;.

naturalized New York,King's Co.Court,August 12,1878.

HENRY LARA.
1879.
No.143. 21 years; born in Trinidad; single; dentist,

naturalized in Philadelphia,November 19,1878.

YSABEL TATE,
1880.
No,2008. 55 years,born in Cuba of American parents,single.

EUGENE TATE.
1874.
No.1209. 31 years of age,born in Trinidad,married,planter.

Mrs.RITA PONT. and 6 children.7 persons.
1877.
No.2905. 28 years,born in Cuba, married.

ALEJO TATE. and 1 daughter.2 persons.
1879.
No.1344. 35 years of age, born in Trinidad, widower,commerce.

Mrs. C.LYNN.(Carlos Lynn.) and 6 children. 7 persons.

The register of Mrs LYNN does not appear in this consulate general,but CARLOS LYNN,in 1878,No.3505,as born in Cuba of American parents. 37 persons in all.

No. 246.

Secretary of State
DEC 10 1896

ASSISTANT SECRETARY
DEC 9 1896
DEPARTMENT OF STATE

U. S. CONSULATE GENERAL.

INDEX BUREAU
RECD.
DEC 9 1896
DEPT. OF STATE

HABANA, December 3rd, 1896.

Mr. LEE SPRINGER

TO THE

DEPARTMENT of STATE.

Case of the "COMPETITOR" prisoners.

Acknowledgement of telegram from Department of State.

---------o----------

No. 2 4 6.

U. S. CONSULATE GENERAL.

HABANA, December 3rd, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:-

I have the honor to acknowledge the receipt of your cablegram, readimg :-" Washington. D. C. Novr 28th.

" Do not believe that protest at this preliminary "stage of proceedings against "COMPETITOR" prisoners "can be of any avail. Obtain conclusions of preliminary "inquest as soon as they are reached and cable Depart- "ment. Watch all proceedings carefully. (Signed) ROCKHILL.

With respect to the prisoners, after the usual formalities a clerk from this office was allowed to visit them yesterday morning. He reports that LABORDE returned from the hospital on Novr 26th. All the prisoners had again made declarations before the Military Judge of Instruction, LABORDE having declared 4 times, and MELTON 3 times. Nothing is yet known respecting the conclusions of the preliminary examination. Their treatment and food continue the same.

I am, Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

Copy.

No. 247.

ASSISTANT SECRETARY
DEC 9 1896
DEPARTMENT OF STATE

The Secretary

U. S. CONSULATE GENERAL.

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HABANA, December 3, 1896.

Secretary of State
DEC 10 1896

Book Ltr File
Orig Recd 12/6
Cuba. R.C

Mr. LEEK SPRINGER.

TO THE

DEPARTMENT of STATE.

Copy sent to Cuba 12/8

Decree of the Governor General regarding Bank Notes.

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File

One enclosure.

---------O---------

2D ASSISTANT SECRETARY.

DEC 10 1896

Mr. Rockhill:

Impuestos de guerra, or impuestos transitorios are a common Spanish expedient. Weyler says he decrees them in exercise of the powers conferred upon him. We cannot say that he is acting without authority of Spanish law, but rather are bound to assume that he is competent to do this. In any

case, we have no ground of complaint except: —

a] If the extra taxes discriminate against citizens of the U.S.

b] If the validity of any existing contract of a citizen of the U.S. be impaired thereby.

Nothing appears to suggest either of these contingencies.

Able

No. 247.

U. S. CONSULATE GENERAL.

HABANA, December 3.1896.

Honorable William W Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

I herewith transmit copy and translation of the Governor General's decree of the 26th.November last, issued in the "OFFICIAL GAZETTE" of this date,respecting the withdrawal of the bank notes payable in gold,and issue of others on a silver basis.

I am,Sir,

Your obedient servant,

Vice Consul General.

Enclosure:-

Decree of the Governor General,Nov.26.1896.

Enclosure No.1.

With Despatch No . 247

H A B A N A , December 3rd,1896.

GACETA DE LA HABANA

Miércoles 2 de Diciembre de 1896.

GOBIERNO GENERAL DE LA ISLA DE CUBA

En uso de las facultades que me están conferidas

ORDENO Y MANDO:

Primero. La emisión de billetes del Banco Español de esta Isla, autorizada y llevada á cabo en virtud de la Real orden de 8 de Junio próximo pasado, será sustituida por una nueva emisión sobre la base de plata, que hará el Tesoro por medio del citado establecimiento de crédito.

Segundo. La nueva emisión será de veinte millones de pesos, puestos gradualmente en circulación, á medida que lo exijan las necesidades del Tesoro.

Tercero. Los billetes de la nueva emisión serán considerados como moneda de plata en todas las transacciones, y su admisión obligatoria.

Cuarto. Se utilizarán para esta nueva emisión los billetes que el Banco destinaba á la de billetes oro que hasta la fecha no hayan sido puestos en circulación. El Banco cuidará de contraseñar los billetes de la nueva emisión y de publicar oportunamente la contraseña, para que resulten perfectamente distintos de los actuales.

Quinto. El valor de los nuevos billetes será de á cincuenta, de á diez, de á cinco y de á un peso, y de á cincuenta y de á cinco centavos de peso, pudiendo emitirse billetes de á veinte y de á diez centavos de peso.

Sexto. Los billetes de esta nueva emisión serán canjeables por moneda de plata metálica á su presentación, en el Banco Español y en sus sucursales, desde el día diez de Enero de 1897, para lo cual el Tesoro tendrá siempre en las cajas del Banco una reserva metálica igual á la tercera parte de los billetes puestos en circulación.

Séptimo. Para reforzar esta reserva se establece un impuesto desde primero de Enero de 1897, de cinco por ciento sobre el valor oficial de las mercancías que se importen en la Isla, cualquiera que sea su procedencia, debiendo el Tesoro entregar semanalmente en las cajas del Banco el producto de la recaudación de dicho impuesto, el cual, atendido su objeto, se pagará precisamente en plata metálica.

Octavo. El Tesoro recibirá los billetes á la par, ó sea por su valor nominal, en todos sus ingresos, y en la misma forma los dará en todos los pagos.

De esta disposición se exceptúan los ingresos que constituyen la renta de Aduanas, los cuales se satisfarán precisamente en oro.

Noveno. Para compensar al Tesoro de los perjuicios que habrá de irrogarle el cambio de oro á plata, en el pago de los tributos, se recargan, á partir del mencionado día primero de Enero próximo, en un quince por ciento los tipos de exacción que actualmente rigen para los impuestos y contribuciones que á continuación se expresan:

Impuesto de Derechos Reales y transmisión de bienes.

Impuesto sobre bebidas.

Impuesto del Timbre, á excepción de los sellos de correos, y telégrafos y del papel de pagos del Estado.

Contribución sobre fincas urbanas y rústicas.

Contribución sobre la industria, comercio, artes, profesiones, incluso el medio por ciento de contratistas.

Décimo. Por análoga consideración á lo anterior, queda en suspenso el descuento del diez por ciento sobre los haberes personales que se hallan hoy sujetos á dicho gravamen.

Décimoprimero. La emisión de billetes oro será totalmente recogida en un plazo improrrogable que principiará á contarse desde el dia diez de Diciembre próximo y terminará el diez de Enero de 1897.

Décimosegundo. La recogida se hará entregando billetes plata con la bonificación de catorce por ciento, ó sea ciento catorce pesos billetes plata por cada cien pesos billetes oro.

Décimotercero. Todo billete que no se presente al canje en el plazo establecido será considerado como billete plata.

Décimocuarto. El Banco Español queda encargado de este servicio bajo las condiciones que se estipulen en el contrato que al efecto se celebrará.

Décimoquinto. Para asesorar y proponer en su caso cuanto pueda conducir al mejor cumplimiento de esta disposición, se crea una Junta compuesta del Intendente general de Hacienda, Presidente, ó en su defecto quien reglamentariamente le sustituya; el Interventor general del Estado, un Vocal por el Consejo del Banco Español, uno por la Cámara de Comercio, uno por el Centro de Detallistas, uno por el Circulo de Hacendados, uno por el Centro de la Propiedad y uno por la Real Sociedad Económica de Amigos del País; todos estos designados por las respectivas Corporaciones.

Habana, 26 de Noviembre de 1896.

Valeriano Weyler.

Enclosure No.1.

With Despatch No. 247

H A B A N A, December 3, 1896.

1897 A

TRANSLATION.

GENERAL GOVERNMENT OF THE ISLAND OF CUBA.

In the exercise of the powers conferred on me;

I ORDER AND COMMAND:

FIRST.- The issue of notes by the Spanish Bank of this Island authorized and carried into effect by virtue of Royal order of the 8th June last, will be substituted by a new issue on a silver basis, to be made by the Treasury through the said establishment of credit.

SECOND.- The new issue will be of twenty millions of dollars, to be gradually put into circulation, according as the requirements of the Treasury may demand.

THIRD.- The notes of the new issue shall be considered as silver coin in all transactions, and their admission obligatory.

FOURTH.- The notes which the Bank intended to issue as gold notes and which up to date have not been put into circulation will be utilized for the new issue. The Bank will take pains to countersign the notes of the new issue and to publish in due season the countersign, in order that such notes result entirely distinct from the present ones.

FIFTH.- The value of the new notes shall be of fifty, ten and five dollars, and of one dollar each, and of fifty and of five cents; notes of twenty and of ten cents may also be issued.

SIXTH.- The notes of this new issue shall be exchangeable upon their presentation for silver coin, in the Spanish Bank and its agencies, from the tenth of January 1897 to which end the Treasury shall always have in the coffers of the Bank a metal reserve fund equal to the third part of the notes in circulation.

SEVENTH.- In order to strengthen this reserve fund an impost is established from the first January, 1897, of five per cent on the official value of merchandise imported into the Island, whatever their origin may be, the Treasury to deliver weekly to the Bank the proceeds of the said tax, which, bearing in consideration its purpose, shall be paid in silver coin.

EIGHTH.- The Treasury shall receive the notes at par, or, their face value, for all its receipts, and may pay them out in the same form. Receipts constituting the Customs Revenues are excepted from this provision, as such shall be paid precisely in gold.

NINTH.- In order to compensate the Treasury for the loss it may suffer by a change from gold to silver, in the payment of its dues, an extra charge, commencing from the first of January next, of fifteen per cent is placed on the rates actually ruling for the imposts and contributions hereinafter stated:

Impost of Royal Dues and transfer of property.

Tax on liquors.

Stamp tax, with the exception of postage stamps, telegraph stamps, and stamps on paper of payment to the State.

Taxes on all real estate.

Taxes on industries, commerce, arts, trades and professions, including the discount of ten per cent of contractors.

TENTH.- For a similar consideration to the above, the discount of ten per cent on personal salaries now subject to said charge is hereby suspended.

ELEVENTH.- The issue of gold notes shall be totally withdrawn from circulation within an exact period to commence on the tenth December next and end on the tenth January 1897.

TWELFTH.- The withdrawal will take place by delivering silver notes with the bonification of fourteen per cent, or say one hundred and fourteen dollars in silver notes for every one hundred dollars in gold notes.

THIRTEENTH.- Every note not presented for exchange within the period hereby established shall be considered as a silver note.

FOURTEENTH.- The Spanish Bank is hereby commissioned for this service under the conditions stipulated in the contract to be made to that effect.

FIFTEENTH.- In order to advise and propose whatever may tend to the better fulfillment of this decree, a Board is hereby created composed of the Intendente General of Finance as PPesident, or otherwise by whoever acts in his place, the Comptroller General; a member of the Board of Directors of the Council of the Spanish Bank; one from that of the Chanber of Commerce; one from that of the Retailer's Board; one from that of the Board of Planters; one from that of the Board of real estate owners; and one from that of the Royal Economic Society of Friends of the Country; all of whom are to be appointed by their respective Corporations.

Habana, 26th. November, 1896.

(signed) VALERIANO WEYLER.

))))))))))o((((((((((

No. 248.

ASSISTANT SECRETARY
DEC 9 1896
DEPARTMENT OF STATE.

U. S. CONSULATE GENERAL.

INDEX BUREAU
RECD.
DEC 9 1896
DEPT. OF STATE

HABANA, December 3rd, 1896.

Mr. ~~DEN~~ SPRINGER

COPIED FOR CONGRESS

TO THE

DEPARTMENT of STATE.

Secretary of State
DEC 10 1896

Case of OSCAR CESPEDES, in Matanzas.

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2 enclosures.

---o---

No. 2 4 8.

U. S. CONSULATE GENERAL.

HABANA, December 3rd ,1896.

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

With further reference to the case of OSCAR CESPEDES, as reported in my despatch No.244,of 2nd instant, I have now the honor to transmit copy of a letter from the U.S. Consul at Matanzas,with a newpaper containing the publication of part of the decision of the Audiencia,or Superior Court of Matanzas convened to settle the question of competency,(of which I transmitted a translation in said No.244,) and copy of the protest presented by him to the Governor of the province.

I am informed that the decision of this Court is considered final as regards the question of competency raised, and that the military tribunals must now take charge of the procedure. The decisions of these Courts having now the same force as the Supreme Court at Madrid,the only way to reverse this judgment,must come through diplomatic efforts.

I am also advised that there has been a want of form, a technical point in the procedure,which can be availed of towards that end,and which consisted in the fact that the civil jurisdiction of Alfonso XII upon receiving from the Captaincy General,or military jurisdiction,the inhibition of the case,failed to return the proceedings with its objections, to the military jurisdiction, but instead raised the question of competency,and referred the matter direct to the Audiencia,or Superior Court at Matanzas with the result stated.

I am, Sir, your obedient servant,

Vice Consul General.

2 enclosures.
Letter and protest from Mr.BRICE.

Enclosure No.2.

With Despatch No. 248

H A B A N A , December 3 — 1896.

Copy.

Sir:

On the 25th of November,1896,the Audiencia or Supreme Court for the Province of Matanzas in convened session rendered a decision in the case of Oscar Cespedes,an American citizen, and said to be a prisoner of war. This decision or decree says that Oscar Cespedes shall be tried by Military Court-Martial.

As Consul of the United States I hereby earnestly protest against this decision of Audiencia on the following grounds, viz:

This decision is a direct violation of Protocol of 1877 between Spain and the United States,- terms of Protocol well known to Spanish officials.

Mr.Cespedes declares on oath that he came to Cuba as a reporter for the Key West Herald,Florida,that he never bore arms against the Government of Spain and that when captured by General Molina's column,Sept.2,1896,he had no arms of any description in hand,or on his person.

In accordance with above declaration of Mr.cespedes and the terms of Protocol 1877 this American citizen should be tried by ordinary jurisdiction or civil trial. Close investigation,and without prejudice,in the case of Oscar Cespedes, shows that he is guilty of no intentional crime against the Spanish Government. Facts fully proven shown that Mr.Cespedes came to Cuba simply as a reporter for one of the many newspapers of the United States.

With the highest consideration etc. etc.

(Signed) A.C.Brice, U.S.Consul.

To His Excellency the Governor of Matanzas.

Matanzas,Dec.1st,1896.

Enclosure No.1.

With Despatch No. 248

HABANA, December 3 1896.

Copy.

UNITED STATES CONSULATE.

MATANZAS, December 2nd, 1896.

Joseph A.Springer, Esq.,

U.S.Vice Consul General,

HABANA.

Sir:

In compliance with your request of 1st instant, I herewith enclose you copy of newspaper in which is published the decision of the Audiencia in Cespedes' case. I also enclose copy of protest, same case. In compliance with a cablegram from the Department of State I also made (on 28th November) a verbal protest to Civil Governor of this Province, same effect.

Mr. Cespedes is seriously ill and is now in the city jail hospital. I visited him Monday 30th November.

I am, etc. etc.

(Signed) A.C.Brice,

U.S.Consul.

LA REGION.

DIRECTOR PROPIETARIO.—Benito A. de Lage.

Matanzas 26 de Noviembre de 1896.

TELEGRAMAS

DE LA PENINSULA.

IMPRESION SATISFACTORIA.

Ayer se han comentado en la Bolsa y en los círculos políticos, en sentido muy optimista, los telegramas del Gobernador General de Cuba.

El Gobierno se muestra muy satisfecho.

EL HIJO DEL GENERAL.

Ha zarpado de Barcelona para la Habana, el vapor "Buenos Aires" de la Compañía Trasatlántica. En él vá el hijo del general Weyler.

LA SEXTA EXPEDICION.

Hoy saldrá de Cádiz con tropas para Cuba el vapor «Magallanes», de la compañía Trasatlántica.

REGRESO OPORTUNO

«La Epoca» declara que ha sido oportuno el regreso á la Habana del general Weyler para atender al estado de la rebelión en la parte oriental de la Isla.

SIGUE EL ENTUSIASMO.

Con entusiasmo continúan los pueblos despidiendo á las tropas que van destinadas á Cuba.

REUNION.

En una reunión de las autoridades de Barcelona se acordó cooperar á la suscripción abierta para obsequiar con aguinaldos á los soldados del ejército de Cuba.

Cotizaciones.

EN LA HABANA.

Oro acuñado,...	112¼ á 112½ V. contra billetes.	
Plata española	95¼ á 97½ V contra billetes.	
„ „	85¼ á 85½ V. contra oro metálico.	

Calderilla: de 80 á 81 V. contra oro metálico.

Centenes: de $6 23 á $6 25

Luises: de $4 98 á 5 00

ZONAS DE CULTIVO.

No queremos suponer que por haber sido nosotros los *iniciadores* de la idea de formar zonas de cultivo alrededor de los pueblos y puntos fortificados, no se hayan establecido en la forma que las necesidades lo reclamaban, dando además ocupación á los que, acostumbrados á la vida del trabajo y del campo, venían huyendo de la canalla mambí.

Muchas y repetidas veces nos hemos ocupado de convertir en extensa zona de cultivo, el Valle del Yumurí, y algo de ello se ha tratado hace pocos días, acordándose y publicándose el acuerdo de construir un fuerte en punto determinado de dicho Valle, para que pudieran dedicarse con relativa seguridad al trabajo los vecinos de él; pero dió la maldita casualidad que á los dos días de publicado tal acuerdo empezaron á desaparecer, presas de las llamas, todas y cada una de las casas que quedaban en pie en el aludido Valle.

Más esto no obsta, á nuestro juicio, para que se realice el primitivo pensamiento y se establezca esa que había de ser, el que comienza á palparse y el que nosotros predecíamos hace un año.

Mas como nunca es tarde si la dicha es buena, aún es tiempo de remediar, en parte, el mal, extendiendo las zonas de cultivo y dando elementos para trabajar en ellas.

CONSECUENCIAS DE LA TOLERANCIA.

III

Es ley natural que los que saben menos, sigan los pasos de los que saben más. Pues bien; al ver los desheredados de la fortuna en estos países, que en la mayor parte de los casos—en aquellos tiempos—para los capitalistas era letra muerta la ley, natural era también que aquellos discurrieran el modo de evadirse de ella por todos los medios que estuvieran á su alcance, y así sucedió. Siguiendo el ejemplo de los que gozaban de una posición elevada—aunque esta fuera adquirida por medios reprobables—también se lanzaron al campo de las aventuras; y echando en olvido todo género de consideraciones morales, procuraron adquirir lo que ellos veían que era necesario para nivelarse á los que gozaban, no solo de comodidades domésticas, si que también de privilegios en el orden social. Este desorden no podía menos de producir efectos fatales y los que por su situación humilde no estaban en posesión de esos privilegios, persuadidos á fuerza de desengaños que solo sobre ellos pesaba el rigor de la ley, se decidieron también á buscar recursos por medio de compromisos de amistad, entre los que estaban dotados de tales poderes para sacudir el yugo; los que no podían alcanzar ni aún esto, eran las verdaderas y únicas víctimas de la tolerancia.....

No faltará quien diga que esto todo el mundo lo sabe, y nosotros también lo creemos así. Pero es el caso que sabiéndolo ó ignorándolo, es un vicio á nuestro entender de tal trascendencia, que de no cortarlo de raíz, en vano serán cuantos sacrificios se hagan para encauzar la corriente desenfrenada, pues es necesario que nos convenzamos, que la fuerza de la razón y la razón de la fuerza son dos potencias que siempre están en pugna sobre quien ha de dominar. El defensor de la primera, son las leyes, el de la segunda es el libertinage, la desmoralización y la corrupción, que conduce á los malvados á cometer tanto crimen como por nuestra desgracia hoy presenciamos. No es que nosotros prescindamos de la fuerza, cuando la necesidad obliga á hacer uso de ella, como ahora sucede. Lo que deploramos con toda nuestra alma, es que nos veamos en este caso por haber tenido contemplaciones que dieron lugar á tal desbarajuste, y como consecuencia, hoy que tanto se decanta la igualdad ante la ley, sea este objeto de burla sangrienta para unos y de terrible azote para otros. Parece increible que tal cosa suceda, y sin embargo, más que la razón natural se resista, los hechos demuestran la realidad. Innumerables casos que son del dominio público se pueden citar como comprobantes de este aserto. Cierto que muchos de ellos aparecen insignificantes, pero fiémonos bien, mal gravísimo que trae consigo fatales consecuencias.

N. R.

Garantía al pasagero.

Aún á trueque de parecer machacones, volvemos á ocuparnos de pretender que las líneas férreas tengan despejado de maniguas y cercas, por uno y otro lado, ancho campo á fin de que á las paralelas no pueda acercarse nadie al pasar el tren no siendo debido á los accidentes del terreno.

Está dispuesto como ayer decíamos copiándolo de nuestro estimable colega *El Diario de Cárdenas* que estén chapeadas las maniguas y derrumbadas las cercas de piedras en una distancia de 300 metros de las paralelas y como siempre, debido á que aquí cada uno hace lo que le place, tal disposición está imcumplida hasta el extremo, como ayer se nos dijo, de que en algunos puntos los ramajes limpian el polvo á los carros, al cruzar el tren por algunos puntos.

Hemos oido decir también que la hierba cubre en algunos sitios á las paralelas, facilitando todo esto ocasión para que puedan los facinerosos acercarse impunemente á los trenes y disparar sobre indefensos pasageros sus armas de fuego, ó hacer explotar algun cartucho de dinamita.

Si á todo esto agregamos como ayer decíamos, que los carros de pasajeros no tienen ninguna protección de blindaje, y que la mercancía de carne humana que conduce el tren, está expuesta á recibir uno ó muchos balazos, se hace preciso que las empresas ferrocarrileras cumplan lo dispuesto destruyendo las maniguas y cercas hasta la distancia de 300 metros y blindando los carros de pasajeros.

Efectuando solamente esto último, ya no hay que temer más que á la explosión de algún que otro cartucho de dinamita, puesto que si después de blindados los carros de pasageros querían concedernos el gusto de tirotear un tren, no producirían temor ni consecuencias de ninguna clase en el pasage y ellos podrían llevar para peras, como vulgarmente se dice.

La vida del pasagero y el respeto al público obliga á las empresas ferrocarrileras á darles garantías, garantías que tenemos todos derecho á exigir y más cuando á pesar de la situación que atravesamos, han logrado obtener un aumento en sus tarifas de un 20 %. que cobran desde el día de la concesión.

El aguinaldo del soldado.

Suscripción iniciada por el Ilmo. Sr. Gobernador Regional, para hacer un obsequio el día 24 de Diciembre próximo á los individuos que componían la 3ª división del Ejército de esta Isla, en operaciones en esta provincia.

	ORO. Pa. Cs.	PLATA Pa. Cs.
Suma anterior.....	34 54	272 16
Vicente Torme.....		50
Regino Llanes.....		40
Eugenio Iturralde.....		1 00
Laureano Alvarez.....		40
Angel Ortiz		2 00
José Alvarez.....		1 00
Félix Estacholi.....		20
Zarralegui Martinez Cª		50
Alvarez Hno. y Comp.		2 00

Guerra, aparecen datos bastantes para reputar á don Oscar Céspedes autor del delito de rebelión y comprendido en la excepción citada por habérsele aprehendido con las armas en la mano, por lo que corresponde juzgarlo á aquella jurisdicción y no á la ordinaria, al tenor de lo dispuesto en el número 3 del artículo 9º del Código de Justicia Militar:

Visto dicha disposición legal al artículo 1º del protocolo de 12 de Enero de 1877.

Declaramos que el conocimiento de la causa que ha dado lugar á la presente cuestión de competencia corresponde á la Jurisdicción de Guerra. Póngase esta resolución en conocimiento del Excmo. Sr. Capitán General y del Sr. Juez de Instrucción de Alfonso XII.

Matanzas 26 de Noviembre de 1896.—Hay varias firmas.

Nota.—El Oscar Céspedes desembarcó en la Isla el 23 de Junio en la expedición mandada por Ricardo Trujillo y se incorporó á la partida de Lacret.

Fué hecho prisionero en los montes Jicarita el 3 de Septiembre por fuerza de la columna del coronel Molins y hoy se encuentra en el castillo de San Severino.

Para el aguinaldo del soldado

Nuestro respetable amigo el Sr. D. José Suris, Vicepresidente de la Junta Directiva de la Empresa del Ferrocarril de Matanzas, y desde hace tiempo en funciones de Presidente, ha remitido al Ilmo. Sr. Gobernador Regional la suma de 100 pesos, con que contribuye dicha Directiva al aguinaldo del soldado.

Conocido el patriotismo del Sr. Suris y el de todos y cada uno de los que componen la Directiva de la citada Empresa, no nos causa extrañeza la cuantía del regalo.

En nombre del Ilmo. Sr. Gobernador Regional, de los pobres soldados y en el nuestro, damos las más expresivas gracias al Sr. Suris.

Sexta expedición.

Anteayer martes salió de Valencia con destino á esta isla, el vapor correo «San Ignacio de Loyola», conduciendo 1 146 individuos del ejército.

Fusilamiento.

A las 7 de la mañana de hoy, debe haber sido pasado por las armas, en los Fosos de los Laureles de la fortaleza de la Cabaña, Habana, Antonio López Colome, por los delitos de rebelión, robo y homicidio.

Buena presa.

D. Francisco Ruiz y don Juan Aballi han abonado la multa de 25 pesos de multa cada uno y además han donado igual cantidad para las obras del parque de la Iglesia.

Dicha multa se les impuso por haberles ocupado el teniente de alcalde don Manuel Fernández, carne de matanza clandestina que verificaban en la calle de la Merced nº 63, la que conducían los carros del Municipio á la casilla del Mercado nº 11.

Se remite al Ayuntamiento de Unión de Reyes el presupuesto extraordinario de 1896 á 97 aprobado.

Pasaportes.

Ayer por el Gobierno Regional se han expedido los siguientes:

Para Tampa: A D. Julian Rivero y Torres con sus hijos don Pedro Pablo y doña Vicenta.

Para Nueva York: A don Fermín Martínez y Silvera.

Para Veracruz: A don Narciso Lovio.

Vapor correo.

Por disposición del Excmo. Sr. Gobernador General, el vapor correo «Ciudad de Cadiz», saldrá para Puerto Rico, Cadiz y Barcelona, el día 28 del actual, á las cinco de la tarde.

Multas.

Por la Alcaldía Municipal se han impuesto ayer multas á 76 individuos, por no regar el frente de sus casas.

Donativo patriótico.

Ayer ingresaron en la Tesorería Central de Hacienda, procedente del donativo patriótico, las cantidades siguientes: 5 791 pesos 88 centavos oro, 5.775 pesos 34 centavos plata y 37 691 pesos 90 centavos en billetes.

INCENDIOS.

Se dice que anoche fueron quemadas en el cuartón de la Encrucijada, las fábricas del portero de la viuda de Ibarra, Las Delicias de D. Juan Francisco Rodríguez y la de mampostería y teja del cafetal conocido por Aldesábal, y hoy titulado «María» de la propiedad de don Manuel Cañizo.

GIROS.

En la Tesorería Central de Hacienda, han ingresado por letras sobre Madrid, á 8 d/v y al 1/2 p%: P. las siguientes cantidades en plata:

Upmann y Comp....	$ 100 500
J. Balcells y Comp...	53,000
Total.....	$ 153,500

REPAROS.

Aplaudimos de todo corazón el *Bando* que últimamente ha publicado el Sr. Alcalde Municipal para que concurran á las escuelas todos los niños cuya edad fluctúe entre 6 y 10 años, y creemos que ha de producir notables resultados si al mismo tiempo se atiende á otros particulares.

Ante todo es necesario que los maestros tengan sus colegios en punto céntrico de su barrio sin permitir de ningún modo que existan algunos en otros barrios, cual se dice que hoy sucede.

También es preciso fijarse en la capacidad del local en donde están establecidas las escuelas, pues hay tivo de una bofetada que le infirió el de su clase Ramón Pages.

También se dice que Rubine fué el que le causó al moreno Víctor Pages y Hernández una herida punzante como de dos centímetros de extensión situada en la región deltoidea antero-superior izquierda.

La contusión del Rubine fué calificada de grave y la de Víctor leve

Los morenos Víctor y Ramón fueron detenidos y remitidos al vivac á disposición del Sr. Juez de Instrucción del Distrito Norte.

Batallón Infantil.

Hasta 248 ascendía ayer el número de los niños inscriptos para formar dicho batallón.

La junta de *papás* tendrá lugar mañana jueves, á las 8 de la noche en el Casino Cívico-Militar, habiéndose solicitado ya el competente permiso del Sr. Gobernador.

LOS SUCESOS DEL DIA.

DE MATANZAS.

En Bemondrón se presentó Leandro Hernandez Delgado, sin armas.

En Cuevitas se presentó Ramón García, haciendo entrega de un machete.

En La Isabel se presentó Florencio González Alsell, entregando un machete y un revólver.

DE SANTA CLARA.

La columna de Galicia en reconocimientos por Saratoga y Jaguey citó batió una partida rebelde, haciéndole dos muertos y recogiendo tres caballos.

La columna del comandante Cadeño batió en Núñez una partida, haciéndole un muerto y 3 prisioneros, apoderándose de varios armamentos y 8 caballos.

Las guerrillas de Ranchuelo batieron al enemigo en Gamboa y Lomas de Morote, haciéndole 3 muertos y ocupando una tercerola y 3 caballos.

Por nuestra parte un contuso.

La guerrilla del Santo batió en San José un grupo insurrecto causándole un muerto y dos heridos.

DE PINAR DEL RIO.

En el sitio llamado La Herradura, avistó al enemigo el comandante del cañonero «L geras, señor Pérez Rendón, por lo que hizo varios disparos, consiguiendo dispersarlos.

En la madrugada del día 7 condujo tropas y municiones á la bahía de Chipparra, pero antes de llegar vió otro grupo insurrecto que dispersó tambien disparando varias granadas.

Al pasar por frente á Pilotos (Cabañas) tuvo noticias el comandante de dicho cañonero *Yumurí* señor Cardenera, por el patrón del *Anita* que los rebeldes habían hostilizado á la citada goleta, por lo que se acercó á tierra y disparó varias granadas á unos grupos que allí se encontraban, y que huyeron en seguida.

DE LA HABANA.

Al venir el General en Jefe á la

EN LA HABANA.

Oro acuñado,... { 112½ á 112¾ V. contra billetes.

Plata española { 95¾ á 97½ V contra billetes.

„ „ { 85½ á 85¾ V. contra oro metálico.

Calderilla: de 80 á 81 V. contra oro metálico.

Centenes: de $6 23 á $6 25

Luises: de $4 98 á 5.00

ZONAS DE CULTIVO.

No queremos suponer que por haber sido nosotros los *iniciadores* de la idea de formar zonas de cultivo alrededor de los pueblos y puntos fortificados, no se hayan establecido en la forma que las necesidades lo reclamaban, dando además ocupación á los que, acostumbrados á la vida del trabajo y del campo, venían huyendo de la canalla mambí.

Muchas y repetidas veces nos hemos ocupado de convertir en extensa zona de cultivo, el Valle del Yumurí, y algo de ello se ha tratado hace pocos días, acordándose y publicándose el acuerdo de construir un fuerte en punto determinado de dicho Valle, para que pudieran dedicarse con relativa seguridad al trabajo los vecinos de él; pero dió la maldita casualidad que á los dos días de publicado tal acuerdo empezaron á desaparecer, presas de las llamas, todas y cada una de las casas que quedaban en pie en el aludido Valle.

Más esto no obsta, á nuestro juicio, para que se realice el primitivo pensamiento y se establezca esa gran zona, que no solo ha de abastecer por sí sola á esta ciudad con sus productos, sino que algunos podrán exportarse á otros pueblos que carezcan de ellos.

Los conocedores de la localidad afirman que ocupados determinados cruces no puede llegar al Valle ni á la Cumbre un solo insurrecto y que para lograr tal milagro solo se necesitarían unos 50 hombres armados.

Excitamos, pues, á todos y á cada uno de los vecinos del Valle de Yumurí para que lleven á la práctica la creación del fuerte y la organización de la guerrilla, para lo cual ya la superior autoridad militar ha concedido la autorización correspondiente, y se dediquen á sus trabajos agrícolas, volviendo con ello á renacer la calma y confianza de todos.

En algunos pueblos de la provincia nótase malestar entre los vecinos pobres y entre la mayor parte de los que se han concentrado y que antes vivían en los campos, debiéndose todo esto á la falta de zonas de cultivo, pues el sitiero que huyendo de los atropellos de los forajidos iba á guarecerse á los pueblos, conducía también sus bueyes y otros animales, así como algunos aperos que le ponían en condición de comenzar desde el siguiente día de su llegada, á cultivar el pedazo de tierra que se le hubiese asignado.

No se han aprovechado esos elementos; no se les ha dado ocupación á esos brazos, y el resultado es el

promisos de amistad, entre los que estaban dotados de tales poderes para sacudir el yugo; los que no podían alcanzar ni aún esto, eran las verdaderas y únicas víctimas de la tolerancia.....

No faltará quien diga que esto todo el mundo lo sabe, y nosotros también lo creemos así. Pero es el caso que sabiéndolo ó ignorándolo, es un vicio á nuestro entender de tal trascendencia, que de no cortarlo de raíz, en vano serán cuantos sacrificios se hagan para encauzar la corriente desenfrenada, pues es necesario que nos convenzamos, que la fuerza de la razón y la razón de la fuerza son dos potencias que siempre estén por encima sobre quien ha de dominar. El defensor de la primera, son las leyes, el de la segunda es el libertinage, la desmoralización y la corrupción, que conduce á los malvados á cometer tanto crimen como por nuestra desgracia hoy presenciamos. No es que nosotros prescindamos de la fuerza, cuando la necesidad obliga á hacer uso de ella, como ahora sucede. Lo que deploramos con toda nuestra alma, es que nos veamos en este caso por haber tenido contemplaciones que dieron lugar á tal desbarajuste, y como consecuencia, hoy que tanto se decanta la igualdad ante la ley, sea este objeto de burla sangrienta para unos y de terrible azote para otros. Parece increible que tal cosa suceda, y sin embargo, más que la razón natural se resiste, los hechos demuestran la realidad. Innumerables casos que son del dominio público se pueden citar como comprobantes de este aserto. Ciertos que muchos de ellos aparecen insignificantes, pero fijémonos bien, y veremos como de lo más sencillo resultan fatalísimas. Pongamos algunos ejemplos.

Las ordenanzas municipales prohiben terminantemente que las vías públicas se interrumpan con objetos ni reuniones que molesten al transeunte, en previsión de evitar perjuicios y compromisos entre los ciudadanos. Creemos que esta disposición no puede tacharla ningún hombre que tenga sentido común, y sin embargo, ¿no vemos á diario faltar á su cumplimiento sin que se castigue á los infractores? ¿No tropezamos á cada momento en las aceras y lugares de más tránsito con reuniones y corrillos cerrando el paso al público, hasta el extremo en muchas ocasiones, de notarse premeditada idea de molestar? ¡Ese lenguaje asqueroso que no solo hombres corrompidos, si que hasta las criaturas usan, vertiendo frases sucias, propias solo de desalmados, sin respeto á los oidos castos, y por lo contrario hacen alarde de completa desmoralización! ¡Las turbas de niños á rienda suelta por las calles y plazas, insultando á los transeuntes, y en constante peligro de ser atropellados por vehículos como frecuentemente sucede, resultando víctimas de ese abandono, ciudadanos honrados, que tal vez con el sudor de su frente son el sostén de numerosa familia!..... Y no es necesario citar más casos porque sería interminable y nuestro objeto no es más que con los mismos hechos que están al alcance de todo el mundo, probar que la tolerancia es un

las manigua y cercas hasta la distancia de 300 metros y blindando los carros de pasajeros.

Efectuando solamente esto último, ya no hay que temer más que á la explosión de algún que otro cartucho de dinamita, puesto que si después de blindados los carros de pasageros querían concedernos el gusto de tirotear un tren, no producirían temor ni consecuencias de ninguna clase en el pasage y ellos podrían llevar para peras, como vulgarmente se dice.

La vida del pasagero y el respeto al público obliga á las empresas ferrocarrileras á darles garantías, garantías que tenemos todos derecho á exigir y más cuando á pesar de la situación que atravesamos, han logrado obtener un aumento en sus tarifas de un 20 p§, que cobran desde el día de la concesión.

El aguinaldo del soldado.

Suscripción iniciada por el Ilmo. Sr. Gobernador Regional, para hacer un obsequio el día 24 de Diciembre próximo á los individuos que componían la 3ª división del Ejército de esta Isla, en operaciones en esta provincia.

	ORO. Pa. Cs.	PLATA Pa. Cs.
Suma anterior.....	34 54	272 16
Vicente Tormo.....		50
Regino Llanes.....		40
Eugenio Iturralde.....		1 00
Laureano Alvarez.....		40
Angel Ortiz		2 00
José Alvarez.....		1 00
Félix Estacholi.....		20
Zarralegui Martinez Cª		50
Alvarez Hno. y Comp..		2 00
Juan Cabanas.....		1 00
Marques y Comp.....		1 00
José Pérez Blanco.....		1 00
Ramón Arango.....		50
Farmacia San Jorge....		1 00
Luis Lombana.....		1 00
Benito Irastorza.....		1 00
Cañizo Hno en calderilla		1 00
Robustiano Pérez		1 00
Manuel Egaña.....		1 00
Aurelio Viñas.....		1 00
Manuel del Pozo.....		1 00
Santos Consáles.....		20
Enrique Diego.....		20
José Almarales.....		20
Francisco Espino.....		20
Total.....	34 54	292 45

VISTA.

El martes á las doce del día, se celebró la vista para resolver la competencia suscitada por la Jurisdicción de Guerra y el Juzgado de Alfonso XII, en la causa seguida por el delito de rebelión al ciudadano americano don Oscar Céspedes y Figueredo.

He aquí la parte dispositiva:

Considerando: Que si bien los ciudadanos de los Estados Unidos por virtud del protocolo de 12 de Enero de 1877, gozan del privilegio de no ser juzgados por delito alguno que cometan en territorio español sino por los Tribunales ordinarios, se hallan de esa gracia exceptuados al ejecutar cualquier delito cuyo conocimiento corresponda á una jurisdicción especial si fuesen cogidos con las armas en la mano.

Considerando: Que del testimonio remitido por Jurisdicción de

Conocido el patriotismo del Sr. Suría y el de todos y cada uno de los que componen la Directiva de la citada Empresa, no nos causa extrañeza la cuantía del regalo.

En nombre del Ilmo. Sr. Gobernador Regional, de los pobres soldados y en el nuestro, damos las más expresivas gracias al Sr. Suría.

Sexta expedición.

Anteayer martes salió de Valencia con destino á esta Isla, el vapor correo «San Ignacio de Loyola», conduciendo 1 146 individuos del ejército.

Fusilamiento.

A las 7 de la mañana de hoy, debe haber sido pasado por las armas, en los Fosos de los Laureles de la fortaleza de la Cabaña, Habana, Antonio López Coloma, por los delitos de rebelión, robo y homicidio.

Buena presa.

D. Francisco Ruiz y don Juan Abalí han abonado la multa de 25 pesos de multa cada uno y además han donado igual cantidad para las obras del parque de la Iglesia.

Dicha multa se les impuso por haberles ocupado el teniente de alcalde don Manuel Fernández, carne de matanza clandestina que verificaban en la calle de la Merced nº 63, la que conducían los carros del Municipio á la casilla del Mercado nº 11.

Los conductores de los carros se encuentran detenidos y serán destituidos de dicho cargo.

¡Qué ricos son estos individuos y que explendidos!

Resoluciones.

He aquí las tomadas por el Gobierno Regional:

Remitiendo al Alcalde de Macuriges, dos pomos de pulpa que se pidió para destinarlo al Dispensario de vacunación de aquel término.

Se nombra Secretario interino del Ayuntamiento de Jovellanos á don Juan Peres y Godoy.

Se devuelve aprobado con correcciones el presupuesto ordinario del Ayuntamiento de Bolondrón de 1896 á 97.

Se eleva al Gobierno General la terna para el nombramiento de 1º 8-r. Teniente de Alcalde del Ayuntamiento de Guamacaro.

Se devuelve al Ayuntamiento de Bolondrón para que subsane defectos el presupuesto adicional de 1896 á 97.

Se llama la atención de los Ayuntamientos de Cárdenas y Sabanilla, cerca de la irregularidad con que acuerdan las distribuciones menguas de fondos.

Se remiten aprobados el presupuesto ordinario del Ayuntamiento de Guanajayabo de 1896.

Se remite aprobado el presupuesto extraordinario del Ayuntamiento de Macuriges formado para abonar sueldos al médico don Juan Brunet.

INCENDIOS.

Se dice que anoche fueron quemadas en el cuartón de la Encrucijada, las fábricas del portero de la viuda de Ibarra, Las Delicias de D. Juan Francisco Rodríguez y la de mampostería y teja del cafetal conocido por Aldesábal, y hoy titulado «María» y de la propiedad de don Manuel Cañizo.

GIROS.

En la Tesorería Central de Hacienda, han ingresado por letras sobre Madrid, á 8 d[v y al 1[2 p§: P. las siguientes cantidades en plata:

Upmann y Comp.,...	$ 100 500
J. Balcells y Como...	53,000
Total.....	$ 153,500

REPAROS.

Aplaudimos de todo corazón el *Bando* que últimamente ha publicado el Sr. Alcalde Municipal para que concurran á las escuelas todos los niños cuya edad fluctúe entre 6 y 10 años, y creemos que ha de producir notables resultados si al mismo tiempo se atiende á otros particulares.

Ante todo es necesario que los maestros tengan sus colegios en punto céntrico de su barrio sin permitir de ningún modo que existan algunos en otros barrios, cual se dice que hoy sucede.

También es preciso fijarse en la capacidad del local en donde están establecidas las escuelas, pues hay algunas en las que están inscriptos 70 ú 80 niños y no obstante, la casa no tiene capacidad más que para la mitad y eso á duras penas, á pesar del crecido alquiler que por ellos se satisface.

También hay que fijarse que los maestros, según se dice, no tienen obligación de admitir más que á los niños pobres y no á los que sus padres tengan algún bien de fortuna.

Obviados estos reparos en la forma que sea dable, creemos que ha de producir buenos sin cuento el *Bando* de nuestro Alcalde y no se dará el triste caso que presenciámos de que muchos niños comenzaran la carrera del crimen á ciencia y paciencia de todos nosotros.

Contusion grave y herido leve.

Ayer á las cinco y media de la tarde fué conducido á la Estación Sanitaria un moreno el que fué curado por el Dr. Quirós, de una contusion con bolsa sanguinea en la región frontal, presentando señales de haber tenido abundante hemorragia nasal, el que presentaba intensa conmoción cerebral, no pudiendo precisar si existe lesión por parecer datar de tres ó cuatro horas ó impedirlo el edema.

Después de curado, fué conducido al hospital de Santa Isabel.

Dicho moreno según el parte de policía se ha averiguado llamarse Severino Rubino (a) *Pimpio* y que la herida se la infirió á consecuencia de una caida que se dió con mo

ciéndole dos muertos y recogiendo tres caballos.

La columna del comandante Cadeño batió en Núñez una partida, haciéndole un muerto y 3 prisioneros, apoderándose de varios armamentos y 8 caballos.

Las guerrillas de Ranchuelo batieron al enemigo en Gamboa y Lomas de Morote, haciéndole 3 muertos y ocupando una tercerola y 3 caballos.

Por nuestra parte un contuso.

La guerrilla del Santo batió en San José un grupo insurrecto causándole un muerto y dos heridos.

DE PINAR DEL RIO.

En el sitio llamado La Herradura, avistó al enemigo el comandante del cañonero «Lagera», señor Pérez Rendón, por lo que hizo varios disparos, consiguiendo dispersarlos.

En la madrugada del día 7 condujo tropas y municiones á la bahía de Chipparra, pero antes de llegar vió otro grupo insurrecto que dispersó tambien disparando varias granadas.

Al pasar por frente á Pilotos (Carabelas) tuvo noticias el comandante del cañonero *Yumurí* señor Cardenere, por el patrón del *Anita* que los rebeldes habían hostilizado á la citada goleta, por lo que se acercó á tierra y disparó varias granadas á unos grupos que allí se encontraban, y que huyeron en seguida.

DE LA HABANA.

Al venir el General en Jefe á la Habana, quedaban operando los generales Inclán y Bernal entre las lomas, en la costa Norte de aquella provincia.

El regimiento del Príncipe que se hallaba en el ingenio Pilar, fué á unirse al general Ooregón, que manda los batallones de Otumba y Toledo.

El coronel Pintos opera en la misma dirección, con Puerto Rico y Farnesio.

Hállanse al Sur, el coronel Béjar, con los batallones de Barcelona y América, el coronel Escorio con los del Rey y Aragón y el general Segura, con Mallorca y Zamora.

Ayer martes salió de Valencia con destino á la Habana el vapor «S Ignacio», conduciendo 1,146 individuos del ejército.

Ha salido nuevamente para la trocha, el incansable redactor corresponsal del «Heraldo» de Madrid, nuestro muy querido compañero don Eduardo de la Pena.

Esta mañana ha salido para la Trocha una numerida compañía del 5º batallón de voluntarios, á la que fueron á despedir los generales Ahumada y Loño.

La despedida fué muy entusiasta.

Estación Sanitaria.

En dicha estación han sido curados en el día de ayer tres individuos de pronósticos leves, uno reservado y otro grave.

Año V Número 158 — Jueves 26 de Noviembre de 1896 — Número suelto 5 cts

REDACCION Y ADMINISTRACION
RIGLA O MEDIO NUMERO 55.

APARTADO DE CORREOS No. 246

Correspondencia política y literaria á nombre del Director.

NO SE DEVUELVEN ORIGINALES.

LA REGION.

Diario independiente, de noticias é intereses generales.

ADMINISTRADOR
ELOY M. RODRIGUEZ.

PRECIOS DE SUSCRIPCION.

En Matanzas, un mes 50
En el resto de la Isla, trimestre adelantado $1
„ „ „ semestre „ $2

ANUNCIOS Y COMUNICADOS Á PRECIOS CONVENCIONALES.

EL FUEGO

ESTABLECIMIENTO DE ROPAS SASTRERIA Y PELETEERIA

Calle de Magdalena números 25 y 27

Teléfono número 13

Esta casa recibe grandes remesas todos los meses, tanto en ropa, como en calzado y vende á precios de situación.

En calzado, además de un completo surtido de los fabricantes mas afamados, tanto para señoras, como para caballeros y niños que deseen proveerse, encontrarán en esta casa, un completo y constante surtido de calzado Gallego, Asturiano, Faro de Gijón, y el magnífico calzado americano marca THE HUDSON RIVER, que por su comodidad, solidez y elegancia, se hace recomendar con solo usarlo una vez. Vista hace fe. No olvidar.

"El Fuego" Magdalena números 25 y 27.

MANTECA DE CHICHARRON
MARCA
SOL
(REGISTRADA)

PUREZA EN SU CONFECCION INVARIABILIDAD EN SU CLASE

La marca mas antigua y la mas acreditada en la Isla de Cuba

Envasada en tercerolas, cuñetes y latas enteras, medias, cuartos y octavos.

Las latas de envases de esta manteca tienen doble cubierta, circunstancia que permiten á las familias utilizarlas despues de vacías. Cortada cuidadosamente la cubierta interior queda un cubo en perfecto estado con su correspondiente tapa.

De venta en esta ciudad en todos los establecimentos víveres al por mayor y menor

Unicos receptores: GALBAN y COMP.

36—San Ignacio36—Habana.

PROFESIONES.

Benito A de Lage
Médico Cirujano.
Ramos 74.

Juan P. Bordenave
Médico Cirujano.
Consultas de 11 á 1.—Grátis para los pobres.
Rio 55.—Matanzas.

AGUSTIN PENICHET.
Abogado.—Soledad 5.

Alfredo Beattie Simpson.
Cirujano Dentista.—Consultas y operaciones de 8 á 4. Mesa no. 7.

Adolfo R. Valhuedi
Médico Cirujano.—Rio 97
Consultas de 12 á 2.—Grátis para los pobres.

Pedro Sánchez Quirós
Médico Cirujano
Ha trasladado su domicilio á Jovellanos 3
Consultas de 12 á 2.

Alcaldía Municipal

Denunciados al Ilustre Ayuntamiento los continuados abusos que se cometen con incendio cadáveres al Cementerio en coches de plaza ó de lujo, con infraccion de lo dispuesto por esta Alcaldía en diferentes ocasiones y recomendado de nuevo en el bando de policía y buen gobierno, esta Alcaldía ha acordado prevenir á los conductores de dichos coches que en lo sucesivo no se les permitirá la entrada en el Cementerio con cadáveres, bajo la multa de cinco pesos por la primera vez que se cometa la infraccion, y de diez pesos por la segunda, sin perjuicio de la responsabilidad en que incurran por la tercera.

Matanzas, 21 de Noviembre de 1896.

El Alcalde Municipal,
Manuel Sanguily.

Establecimiento de veterinaria
DE PEDRO PONT.
Cuba 43—Matanzas

En este establecimiento se hacen cuantos trabajos se encarguen en el ramo de herrería, carretas, coches, carros y útiles de labranza, se ponen herraduras á española y francesa. Los precios son muy económicos.

Abono por caballos de lujo con asistencia y herraje al mes... $1,50
Idem, idem, á los caballos y mulos de los trabajadores... $1
Herraduras sueltas para los caballos de los campesinos..... 40 ¢

NOTA.—Los caballos de los defensores de la patria serán visitados gratuitamente en Cuba 43.

LA FRANCESA
Taller de Tintoreria
CON MAQUINA DE VAPOR
DE
Bráulio Blanco Gil.
MANZANO 121

Teñidos y lavados al vapor y precios con arreglo á la situación.

A los militares, los trajes de lana con sus entorchados estrellas y demás, los deja esta casa como nuevos, y lo mismo hace con los de paisanos bien sea con el moderno de engranador americano ó bien al vapor.

No olvidarse en Manzano 121 que se tiñe y lava al vapor lo mismo de señoras que de caballeros, militares ó paisanos.

Nota.—El que tenga prendas en esta casa que hayan cumplido tres meses y no pase á recogerlo la casa dispondrá de ella.

Ladislao Diaz y Hno.
HABANA.
Almacenista de Maderas y Barros y Fabricantes de Cemento Portland,
MARCA "CUBA."

Garantizado superior á todos los cementos que se importan.

Envasado en barriles de á 150 y 130 kilógramos y en sacos de 75 kilógramos, vendiéndose á precios que no admiten competencia en el Depósito y Agencia única para la Provincia de Matanzas á cargo de los señores

Amézaga y Comp.
MATANZAS.

LA PARRA
DE MARCELINO PIREZ
MEDIO 52 ESQUINA A AYUNTAMIENTO
Vinos y Víveres Nacionales y Extranjeros

MANTECA DE CHICHARRON

MARCA

SOL

(REGISTRADA)

PUREZA EN SU CONFECCION INVARIABILIDAD EN SU CLASE

La marca mas antigua y la mas acreditada en la Isla de Cuba

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De venta en esta ciudad en todos los establecimentos víveres al por mayor y menor

Unicos recepores: GALBAN y COMP.

36—San Ignacio36—Habana.

¡Cuidado con las imitaciones!

KASTRO DE MUEBLERIA

'EL TURCO'

M. V. GARCIA Y C.ª

CONTRERAS 62—MATANZAS.

Esta casa compra toda clase de muebles, pagándolos mejor que ninguna otra de su giro.

Se venden á precios tan módicos, que por poco dinero pueden amueblar su casa.

También se alquilan toda clase de muebles, siendo el alquiler reducido como reclama la actual situación.

Por ocho pesos mensuales se alquila toda la habilitación para una casa, sala, cuarto y comedor.

Giren una visita á la mueblería

"EL TURCO"

PROFESIONES.

Benito A de Lage
Médico Cirujano.
Paseo 74.

Juan P. Bordenave
Médico Cirujano.
Consultas de 11 á 1.—Gratis para los pobres.
Rio 56—Maquina.

AGUSTIN PERICHET.
Abogado.—Jovellanos 5.

Alfredo Sánchez Simpson.
Cirujano Dentista.—Consultas y operaciones de 8 á 4. Manzano número 72.

Adolfo R. Valhuerdi
Médico Cirujano.—Rio 97
Consultas de 12 á 2.—Gratis para los pobres.

Pedro Sánchez Quirós
Médico Cirujano
Ha trasladado su domicilio á Jovellanos 3
Consultas de 12 á 2.

Alcaldía Municipal

Denunciados al Ilustre Ayuntamiento los continuados abusos que se cometen con incendio cadáveres al Cementerio en coches de plaza ó de lote, con infracción de lo dispuesto por esta Alcaldía en diferentes ocasiones y recomendada por la Corporación Municipal, la adopción de medidas encaminadas á impedir esas infracciones que constituyen verdadero atentado á la salubridad pública, vistos los diferentes acuerdos del Ayuntamiento sobre el particular, he creido recordar por este medio, que se halla terminantemente prohibido [illegible] cadáveres al Cementerio en otros vehículos que no sean los fúnebres destinados á ese servicio; y aun que espero de la cultura del pueblo de Matanzas que penetrado del fin que persigue esa prohibición, sabrá dispensarme el mas exacto cumplimiento, cúmpleme prevenirle que con esta fecha ordeno á los agentes de mi autoridad la mayor vigilancia en ese servicio, en el concepto de que los dueños de carruajes de alquiler, de plaza ó de lujo que faciliten sus vehículos para esas conducciones, quedarán incursos en la multa de cien pesos oro, que en cada una de ellas se les impondrá, y que los carruajes sorprendidos en esas condiciones, quedarán detenidos hasta que por los facultativos municipales convenientemente sean desinfectados y autorice su circulación, todo sin perjuicio de las responsabilidades de otro género en que puedan incurrir los infractores.

Y para general conocimiento y su inserción en el Boletín Oficial y periódicos de la localidad, dicto el presente.

Matanzas, Abril 24 de 1895.—*Angel Portilla.*

Establecimiento de veterinaria

DE PEDRO PONT.

Cuba 43—Matanzas

En este establecimiento se hacen cuantos trabajos se encarguen en el ramo de herrería, carretas, coches, carros y útiles de labranza, se ponen herraduras á española y francesa. Los precios son muy económicos.

Abono por caballos de lujo con asistencia y herraje al mes... $1 50
Idem, idem, á los caballos y mulos de los trabajadores... $1
Herraduras sueltas para los caballos de los campesinos... 0 40

NOTA.—Los caballos de los defensores de la patria serán visitados gratuitamente en Cuba 43.

LA FRANCESA

Taller de Tintorería

CON MAQUINA DE VAPOR

DE

Bráulio Blanco Cela

MANZANO 124

Teñidos y lavados al vapor á precios con arreglo á la situación.

A los militares, los trajes de lana con sus entorchados estrellas y demás, los deja esta casa como nuevos, y lo mismo hace con los de paisanos bien sea con el moderno de engranador americano ó bien al vapor.

No olvidarse en Manzano 124 se tiñe y lava al vapor lo mismo de señoras que de caballeros, militares ó paisanos.

Nota.—El que tenga prendas en esta casa que hayan cumplido tres meses y no pase á recogerlo la casa dispondrá de ella.

LA FELICIDAD

Taller de lavado en general

de

Florencio Angulo Socarrás.

Manzano 63 entre Jovellanos Ayuntamiento

Prontitud, equidad y esmero.

Zarzaparrilla del Dr. AYER

Purifica la sangre

Abre el Apetito

Fortalece á los débiles

Aquellos que padecen de debilidad, general ó otra dolencia engendrada de sangre impura, deberían tomar la Zarzaparrilla del Dr. Ayer. Da fuerzas á los débiles y en general reconstruye el sistema. Por su medio los alimentos nutren el cuerpo, y se goza de un sueño reparador y de las dulzuras de la vida.

PRIMER PREMIO EN LAS Exposiciones Universales de Barcelona y Chicago.

Preparada por el Dr. J. C. Ayer y Co. Lowell, Mass., E. U. A.

Pídase en guardia contra imitaciones baratas. El nombre "Ayer's Sarsaparilla" figura en la envoltura y está vaciado en el cristal de cada frasco.

Ladislao Diaz y Hno.

HABANA.

Almacenista de Maderas y Barros y Fabricantes de Cemento Portland.

MARCA "CUBA."

Garantizado superior á todos los cementos que se importan.

Envasado en barriles de á 150 y 130 kilógramos y en sacos de 75 kilógramos, vendiéndose á precios que no admiten competencia en el Depósito y Agencia única para la Provincia de Matanzas á cargo de los señores

Amézaga y Comp.

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IMPRENTA LA "DOMINICANA"

RICLA 55. MATANZAS.

IMPRENTA LA "DOMINICANA"

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PREPARACION DE WAMPOLE

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LA SALUD DEL SOLDADO EN CAMPAÑA

POR EL

JOSE MARIA MON.

Fabricante de Bragueros.

RICLA O MEDIO NUMERO 58.

Ofrece al público una línea completa de artículos ortopédicos última novedad, también una variedad de bragueros, soportadores, suspensorios, importados directamente de Europa y los Estados Unidos, bragueros de celuloide, bragueros de plata, bragueros de gutapercha, bragueros de cuero, fajas umbilicales, fajas elásticas, medias de goma, fumigadores, atomizadores, termómetros clínicos, tubos de enjuague, Panfield, tubos antihemorróicos, biberones de goma, pinceles y todos los artículos concernientes al giro.

Y principalmente garantizo y respondo por mis aparatos, los más modernos hasta hoy conocidos, fabricados de materiales de nikel escogidos, los cuales no se oxidan ni manchan la ropa por los efectos del sudor. Duran toda la vida, son elegantes y llevan estampado mi nombre y se fabrican expresamente para obtener una cura radical de esta terrible enfermedad; tengo más de 15 años de práctica además de teoría que me permite recomendarlos como los mejores del mundo, pudiera publicar gran número de certificaciones de curas breves y radicales obtenidas en cuarenta días, de los cuales no haga uso, pues bien conocido de todos lo antes manifestado, de este modo se explica que el público diga para bragueros MON y MON.

Además puedo ofrecer ciento cincuenta mil bragueros al por mayor y menor de los llamados comunes y que detallo desde 30 centavos en adelante por consiguiente el que no use braguero su cabeza le dará consejo.

A los doctores puedo ofrecerles una exposición de bolsas de cirujía, especulos, forres, candelillas, cloroformadores, yodotormadores y todo lo concerniente al giro.

SIEMPRE ADELANTE

EL PARAISO

Ya están próximas á llegar las importantes remesas de ropa adquiridas por nuestro sócio D. José María Mori en las principales fábricas extranjeras.

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EL PARAISO

GRAN CENTRO MERCANTIL

América 12 y 14.

BIBLIOTECA DE "LA REGION" 20

LAS BATALLAS DE LA VIDA

LA NOVELA NUEVA.

POR

JORGE OHNET.

Aquel fué el período mas agitado y mas terrible de su existencia de libertino. Se dió á beber licores americanos en los cafés, despues de media noche, y le presentó varias veces en el club en tal estado que se hubiera pedido su expulsión si hubiera seguido frecuentándolo. No gastaba el dinero con exageración. La imposibilidad de hallar un límite en que contenerse, le desanimaba. Parecía un nadador que no se atreviese á sumergirse en aguas desconocidas por miedo de no encontrar el fondo.

La señora Mossler, muy indiferente cuando se trataba de negocios de su hijo adoptivo, se manifestó muy preocupada cuando se enteró de su conducta y de su moralidad.

La protestante se despertó y por primera vez se mostró seriamente descontenta. Estaba al corriente de los hechos de Valentín por Elisnes, el cual tenía á sus órdenes una verdadera policía empleada en sus ministerio de buenas obras. Sin ninguna malevolencia al principio y tan solo por adhesión á la señora Mossler, el anciano se dejó interrogar y dijo la verdad, pues incapaz de mentir, no podía hacer más que callarse. No lo hizo así y se arrepintió muy amargamente.

Al retirarse el conde de Contras, una mañana, según su costumbre á casa de su madre adoptiva, la encontró fría y grave, y como no estaba acostumbrado á que le pusieran mal gesto, se quejó enseguida con audacia de niño.

La señora Mossler, que parecía esperar la ocasión de explicarse, anunció en el acto sus quejas.

—Estoy descontenta de tí, querido hijo. Tienes una manera de vivir que me disgusta soberanamente y quiero que lo sepas, porque supongo que tu cariño hacia mí te ayudará á corregirte.

—No lo dudes, respondió sonriendo cariñoso Valentín. Pero ¿de qué me acusas? Es preciso que sepa en qué he faltado para no volver á hacerlo más.

—¡Ah! Me encontrarías de muchas maneras, pero sobre todo, por tu mala elección de amigos. No te trates mas que con personas mal reputadas.

—¿Quién te ha dado semejantes informes de mí? ¿Tengo, pues, ese mismo á tu lado?

—No tienes mas enemigos que tí mismo. ¿Crees que es difícil saber lo que haces? Basta abrir un periódico..... y no necesito ni comprarlo, porque me los envían llenos de rayas encarnadas en el párrafo que se refiere á tí. Mira, aquí tienes el *Gil Blas* de ayer... «Hace algunas noches, en el baile de la Opera, los señores de Croix Mesnil, Prieur y el hermoso *Pepitero*.....» El hermoso *Pepitero* eres tú, según parece, ¿sabes que te han aplicado ese mote?

—Sí madre mía; es por las pepitas de oro...

—¿Y crees que si tuvieras otra conducta, sino frecuentaras continuamente establecimientos inmundos se permitiría nadie tratarte con esa degradante familiaridad?

—Vamos, madre mía, no exageremos. No tiene nada de degradante que mis íntimos me llamen *Pepitero*. Me agrada que los periodistas estén algo inclinados á cogerse de mi brazo... Pero todo esto es insignificante. Al duque de Rambor le llamaban el *Rey de los Mercados* y no desdeñaba el codearse con sus súbditos, lo que no le impedía ser un gran señor. En cuanto á esos establecimientos inmundos de los que me supones concurrente asiduo... ¡si supieras qué sociedad frecuenta la cantina de la Opera, te quedarías asombrada!

—Lo creo.

—Pues es todo lo que hay en París más distinguido.

—Sí; ya sé que hay una especie de delirio de degradación que arrastra á los hombres y á las mujeres de la mejor sociedad á frecuentar sitios en los que no querían entrar sus criados... Es una prueba de generalidad. Pasan la noche en las tabernas del *boulevard* exterior, en medio del humo del tabaco y oyendo canciones sucias ó revolucionarias. Sé que la sociedad aristocrática ha preparado su derrota por su falta de decoro y moralidad. No espera que la hagan descender por fuerza al nivel común y se precipita ella misma de cabeza en el arroyo. Ella se retorcerá de rabia un día, pero eso es cuenta suya y yo no tengo para que ocuparme si no de tu caso particular, en esta general locura. Te quería mejor que los demás y te encuentro peor. Tus congéneres van á la taberna por tontería; tu vas por vicio. Ellos nos hacen mas que perder el tiempo, tú pierdes la razón.....

—Madre mía...

—Me es penoso hablarte así, pero en tu propio interés debo ir hasta el fin. Tu intemperancia es causa de escándalo; y las personas con quienes vives íntimamente son las que te han impulsado á esa degradación..... Creo, por tanto, necesario que rompas con ellos.

—Te han prevenido contra esos amigos y contra mí.

—Ese Hugo de Croix-Mesnil y ese Fernando Prieur no son los compañeros con quienes quisiera verte... Uno de ellos, por lo menos, vive completamente á tus expensas.

—He tenido el placer de hacerte algunos servicios. Pero, ¿eres tú la que me lo echas en cara, cuando pasas la vida buscando pobres á quienes socorrer?

Continuará.

Imp. La Propaganda Bich 55.

¡SIEMPRE ESPAÑA!

A MI VETERANO AMIGO EL COMANDANTE STA. MARIA.

No pudo remediarlo, y rompió á llorar.

Estaba con los brazos cruzados sobre la mesa, la barba apoyada en el reves de las manos, y aquellas lágrimas rebeldes deslizándose sobre ellas, iban á manchar los estremos de la blanca cartulina, extendiéndose, extendiéndose como sus pesares.

Habia quedado el oficial inmóvil, y solloza ba cerrando los ojos á intérvalos; entonces las lágrimas mayores aún, caian á peso sobre el retrato, sonando débilmente. Por fin incorporóse á medias, y apoyando la frente en las manos, aún húmedas con surcos amargos, quedó en muda contemplación, ante aquella cartulina manchada.

Era un retrato «salón;» un grupo. En el centro y sentado, un anciano de bigotes grises, vestía el uniforme de nuestra infantería con las divisas de coronel, apoyándose en el bastón con puño de oro; á su derecha un 1er. teniente, joven esbelto, con ligero bozo; á su izquierda un alferes, un niño; rubio, débil, casi enfermizo, lucía su cara de juguete; era un microscópico abanderado.

En el último correo, con aquel retrato, habian llegado noticias alarmantes de España. La patria había hecho su último sacrificio; había dado su dinero, había dado sus hombres.

Ante la inminencia de una ofensa nacional, España se había conmovido con el estremecimiento desesperante de una raza entera de héroes. El capitalista y el mendigo, dieron sus sobras y sus limosnas; las iglesias dieron su plata y sus alhajas; los ciudadanos todos ofrecieron sus vidas.

El ejército ardía en indignación, y los futuros sitios de peligro, se disputaban ya. Por eso aquel oficial lloraba.

Su padre, el antiguo magistrado, el que gastara su inteligencia y su vida defendiendo los hermosos ideales de una paz universal, el más bueno de los hombres y el más cristiano de los caballeros, aquel á quien costara en tiempos penosa enfermedad su firma en una sentencia de muerte, aquel bondadoso viejo, que quiso hacerle heredero de sus ideas y de su toga, era el anciano coronel de los bigotes grises.

Su hermano el ingeniero, había dejado su escuela y su porvenir, y cambiado los cálculos por la espada: era el teniente.

El Benjamin de la casa, el delirio de su pobre madre, el niño enfermizo creciendo á fuerzas de mimos y de cuidados, el alferes rubito, estaba allí también; su padre que economizó sus escasas energías negándoselas prudentemente á los libros, otreciolas, con las suyas á la patria, para que aquel niño querido, disputado valientemente á la muerte, llevase sobre sus hombros débiles, la sagrada bandera de la patria. Una movilización rapidísima, había dado un contingente armado que aterró á la Europa.

Los ciudadanos restantes, organizados en Regimientos fijos, constituían la defensa nacional. Su padre mandaba uno de ellos; sus hermanos servían en él. Miraba el oficial la severa cara de su padre, á quien daba aspecto militar aquel uniforme quizás puesto por primera vez, y lo reemplazaba mentalmente con la severa toga y los blancos bordados.

Miraba á sus hermanos; á aquel orgullo de la Politécnica, al otro débil y enfermizo, y al comprender lo inmensamente patriótico de aquel desinteresado sarrificio de *ideas*, se sentia pequeño, y lloraba de orgullo.

De orgullo, sí; ¿qué era él, patriota decantado y aún militar pundonorosísimo, voluntario en ofrecer su vida por sus ideales, ante aquel anciano venerable y ante aquel niño enfermizo?

El uniforme que respetaba, se le hizo sagrado al vestirlo aquellos seres queridos de su alma.

En esta contemplación despertóse en

SENTENCIA.

Condenando á don Juan Perez Ibañez á lo pena de doce años y seis meses de reclusión temporal, accesorias y que abone á los herederos de don José Ro que Vila dos mil quinientas pesetas, en la causa que se le siguió en el Juzgado de Colón por el delito de homicidio.

SUSPENSIONES.

Las vistas de las causas seguidas en el Juzgado Sur de esta ciudad, contra don Juan Gómez, por lesiones á don José Molina, por hurto y don Manuel Blanco por estafa, se suspendieron por no haber comparecido los procesados que se encuentran en libertad provisional.

También se suspendió la vista de la causa seguida en el Juzgado de Alfonso XII contra don Baldomero Alvarez y don José Gonzalez por el delito de resistencia por no haber comparecido el procesado Gonzalez.

FIESTA RELIGIOSA.

La Directiva de la *Quinta de Dependientes* nos encarga invitemos en su nombre á todos sus socios y al público en general, para las solemnes honras fúnebres que, para eterno descanso de las almas de los fallecidos en tan filantrópico establecimiento en los 4 años que lleva desde su fundación, se celebrarán en la iglesia de *San Carlos* el dia 4 del entrante Diciembre á las 8 de la mañana.

Cumplimos gustosos el encargo, por tratarse de una ceremonia tan sagrada y de una sociedad que honra á sus fundadores y á Matanzas.

Cuerpo de Bomberos.

Relación de los señores que han contribuido con cantidades en efectivo para las Obras de la Estación Central del Cuerpo de Bomberos que permitan establecer en un solo edificio el servicio de incendios, Estación Sanitaria, Dispensario para niños pobres y servicio de desinfección

	ORO	PLATA
	Ps. Cs.	Ps. Cs.
Suma anterior.....	606 44	868 84
Indalecio Iglesias	.....	... 20
Antonio C Gutierrez..	.....	... 40
Juan Lechón Pellejero	.....	... 20
Agustin Santa Ana...	.....	... 30
Francisco L anes.	.....	... 10
Leoncio G. Rodrigues.	.....	... 20
Juan Gómez.....	.....	... 10
Marcos Victor.....	.....	... 20
Donato G. Saavedra...	.....	... 10
Francisco L Rodrigues	.....	... 40
F. Vega Hernández...	.....	... 20
Ramón Cirás.....	.....	... 20
Ramón Vera Suárez...	.....	... 20
Guillermo Zurbitu.....	.....	... 20
Marcelino Diaz.....	.....	... 20
Suma.....	606 44	892 04

(*Continuará.*)

IGLESIA DE SAN CARLOS.

He aquí el bautizo efectuado en la iglesia de San Carlos:

Niña Maria Saturnina, hija de don Pedro Bolado y Edesa y de doña Mercedes Gelup y Valdés. Madrina: doña Rita Gonzalez y Macedo.

REGISTROS CIVILES.

En el dia de ayer 22 se han efectuado las siguientes inscripciones en los Registros Civiles de esta ciudad:

Distrito Norte.

Nacimiento —D.ª Mercedes Amparo Hernández, nació el 24 de Octubre.

Defunciones.—D. Norberto Cañizo y Cañizo, natural de Miera (Santander), de 80 años; falleció de meningo mielitis aguda.

Doña Quintina Eduviges López, natural de Matanzas, de 25 dias; falleció

y Luciano Carbonell fueron detenidos y remitidos al vivac á disposición del Juzgado de Instrucción del Distrito Norte, como presuntos autores de la sustracción de ropas de vestir á la morena Francisca Dueñas.

Una pedrada.

En la calle de Santa Rita á las once del dia de ayer fueron de una pedrada una herida contusa en la región fronto parietal derecha de dos centímetros de extensión al niño José Mora y Vento.

Noticias comerciales.

Lonja de Víveres.

He aquí las ventas efectuadas en la misma:

1800 barriles aceitunas, 8½ rs.
100 c. queso Patagrás, $28.
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50 c. id. vejigo, $29.
100 cntos. cebollas de Vigo, 19 rs.
200 id. castañas gallegas, $4.
100 fardos papel amarillo catalán, 27 cts.
100 s. harina Santander cte., $9 25.
200 s. id. id. 1ª, $9 50.

que se hallan arrinconadas en los pasos y en la plesas, que en un tiempo eran visitados por el pueblo.

SE ESPERA.—

A la mayor brevedad llegará á esta ciudad.....¡otra compañia dramática, los caballitos, los bufos, nó, nó, otra cosa: ¿que es ello? Un frio, hombre, un frio que ningún invierno hemos tenido, según nos asegura el P. Ruhigas.

Me dice que no ha de haber nadie que pueda salir á la calle para ir á que que hacer; que no se podrá trabajar porque no habrá *tino* para ello, y que el que quiera comer habrá de tener un almacen en su casa de viandas y otros tubérculos suficientes para cuatro meses.

Yo, atenido á los resultados ó á lo que vengo, acabo de preparar los trastes y la maleta para largarme al Polo Artico.

Eloy Revert
ABOGADO
Medio 96 —Consultas de 1 á 4
Un matrimonio Feliz.

Carta Blanca

Desde tiempo inmemorial determina el público consumidor del *Ron Bacardi* á la clase *Superior número 1*, con el nombre de CARTA BLANCA.

El crédito universal que goza el *Ron Bacardi* conocido de todos con la denominación de CARTA BLANCA, ha despertado, según parece, el deseo de fabricantes que nada producen, y si imitan ó se apropian cuanto consideran provechoso al lucro.

Decimos esto al ver aparecer con el nombre de CARTA BLANCA un ron, que será muy bueno, pero que no es *Ron Bacardi*

Hacemos pues constar al público, y en particular á nuestros numerosos consumidores, que para no ser sorprendidos por productos parecidos, hasta en color y en estilo de casquillo y etiquetas, (seguramente sin malicia alguna,) al pedir una copa de Ron exijan *Bacardi Superior número 1*, que es el conocido en todos tiempos con el nombre de CARTA BLANCA por denominación propia dada por el consumidor, aunque no lo exprese así la etiqueta.

Todo producto acreditado por sus excelentes condiciones, tiene imitadores.

EXÍJASE EL BACARDI SUPERIOR NUMERO 1
PRUÉBESE EL
SELECTO ORO Y EL EXTRA 1873
DEPOSITO EN LA HABANA
San Ignacio 43 esquina á Santa Clara
Bacardí y Compañía.

RON BACARDI

Unico Ron nacional premiado en Philadelphia 1876 Madrid 1877 Matanzas 1881 *y con medalla de oro* en las Exposiciones universales de Barcelona, París y Chicago, habiendo obtenido mayor recompensa aún, en el Gran Certámen, exclusivo de vinos, alcoholes y licores, celebrado en Burdeos en 1895 donde obtuvo la *mas alta recompensa* el GRAN DIPLOMA DE HONOR, premio *superior* á la medalla de oro.

Cuidado con las falsificaciones é imitaciones
Exíjase el *legítimo Bacardi* superior *número 1*
Pruébense el selecto ORO y el Extra 1873.
La casa Bacardi fué fundada en 1833, siendo Bacardí y Compañía desde 1862.
Unicos proveedores efectivos de la Real Casa de España.

DEPOSITO EN LA HABANA
San Ignacio 43 esquina á Santa Clara
Unico Agente en Matanzas
José Pirez Blanco Gelabert 109.

SASTRERIA
PACO RAMIREZ DE ARELLANO
RICLA 66

Esta casa montada á la altura de las primeras en su clase, dada la situación crítica porque atraviesa el país, ofrece á sus parroquianos y al público en general, precios de confección ó hechuras sin competencia.

LA NORMA
CAMISERIA Y SASTRERIA
DE MANUEL A. ZAPICO.
PROVEEDOR DE LA REAL CASA

Efectos militares — Gorras de piqué blanco

ESPECIALIDAD EN UNIFORMES
Ricla 6 Medio 49.—Matanzas.

SUFRO ANTIDIGTERICO
DEL
Laboratorio de la Habana
de venta en la Botica de San Jorge, calle del Medio número 123.
Unico Depósito en esta capital.

La Propaganda.

En esta casa se compran y venden libros.
Tambien se hacen toda clases de trabajos concerniente al arte tipográfico.

ZAPATERIA
La Favorita
DE LUIS MARTIN
RICLA O MEDIO NUMERO 56.

Montada esta casa en inmejorables condiciones y deseoso su dueño de cumplir cual se merecen, sus numerosos favorecedores, ha determinado surtirla en pieles de los mas acreditados fabricantes del extrangero, tanto para caballeros, como para señoras y niños, tambien cuenta esta casa, con un gran surtido de hormas de todas formas, para hacer calzado á las personas de pie delicados, el calzado para niños, á los marchantes de la casa se les dará al costo.

Público no olvideis que esta es la mejor zapatería en Matanzas, y por lo tanto puede trabajar en mejores condiciones que ninguna otra en su giro.

RICLA 56.

GRAN FABRICA DE CIGARROS
"EL TACO"
DE FRANCISCO RIVERO
Habana -188 MANRIQUE 188 -Habana

ban ya. Por eso aquel oficial lloraba.

Su padre, el antiguo magistrado, el que gastara su inteligencia y su vida defendiendo los hermosos ideales de una paz universal, el más bueno de los hombres y el más cristiano de los caballeros, aquel á quien costara en tiempos penosa enfermedad su firma en una sentencia de muerte, aquel bondadoso viejo, que quiso hacerle heredero de sus ideas y de su toga, era el anciano coronel de los bigotes grises.

Su hermano el ingeniero, había dejado su escuela y su porvenir, y cambiado los cálculos por la espada: era el teniente.

El Benjamin de la casa, el delirio de su pobre madre, el niño enfermizo creciendo á fuerzas de mimos y de cuidados, el alferes rubito, estaba allí también; su padre que economizó sus escasas energías negándoselas prudentemente á los libros, ofreciolas, con las suyas á la patria, para que aquel niño querido, disputado valientemente á la muerte, llevase sobre sus hombros débiles, *la sagrada bandera de la patria. Una* movilización rapidísima, había dado un contingente armado que aterró á la Europa.

Los ciudadanos restantes, organizados en Regimientos fijos, constituían la defensa nacional. Su padre mandaba uno de ellos; sus hermanos servían en él. Miraba el oficial la severa cara de su padre, á quien daba aspecto militar aquel uniforme quizás puesto por primera vez, y lo reemplazaba mentalmente con la severa toga y los blancos bordados.

Miraba á sus hermanos; á aquel orgullo de la Politécnica, al otro débil y enfermizo, y al comprender lo inmensamente patriótico de aquel desinteresado sarrificio de *ideas*, se sentía pequeño, y lloraba de orgullo.

De orgullo, sí; ¿qué era él, patriota decantado y aún militar pundonorosísimo, voluntario en ofrecer su vida por sus ideales, ante aquel anciano venerable y ante aquel niño enfermizo?

El uniforme que respetaba, se le hizo sagrado al vestirlo aquellos seres queridos de su alma.

En esta contemplación despertóse en el joven oficial el orgullo indómito de una raza siempre potente y vigorosa, jamás vencida; la salvage energía de un pueblo que rechaza la agresión, vendiendo una á una las vidas de sus hijos, y acuñando, moneda á moneda, las sagradas imágenes de sus iglesias; fundiendo cañones con el bronce de sus campanas, y haciendo banderas nacionales con los hábitos de los religiosos teñidos de sangre; aquel orgullo salvage de generaciones y generaciones de conquistadores le subió en mágica é incomprensible oleada á los ojos, y lloraba..... lloraba mirando aquel querido retrato, como un inmenso pabellón rojo y gualda.

IVAN ANDRESWICH.

Capitán del Ejército Ruso.

Asuntos Judiciales.

SEÑALAMIENTOS.

PARA EL DIA 27.

A la una.

Juicio oral de la causa seguida en el Juzgado de Colón, contra el procesado moreno Alejandro Hernandez, por el delito de homicidio.

Fiscal, Sr. Alonso Martinez; Ponente, Sr. Verdú; Abogado, Sr. Llanos; Procurador, Sr. Rodriguez.

Juicio oral de la causa seguida en el Juzgado de Colón, contra el procesado Francisco Beato, por el delito de robo.

Fiscal, Sr. Alonso Martinez; Ponente, Sr. Ayala; Abogado, Sr. Pessino; Procurador, Sr. Estorino.

Juicio oral de la causa seguida en el Juzgado de Cárdenas, contra el procesado Rosendo Rodriguez, por el delito de robo frustrado.

Fiscal, Sr. Pessino; Ponente, Sr. Verdú; Abogado, Sr. Piqué; Procurador, Sr. Estorino.

Relación de los señores que han contribuido con cantidades en efectivo para las Obras de la Estación Central del Cuerpo de Bomberos que permitan establecer en un solo edificio el servicio de incendios, Estación Sanitaria, Dispensario para niños pobres y servicio de desinfección.

	ORO	PLATA
	Ps. Cs.	Ps. Cs.
Suma anterior.....	606 41	892 84
Indalecio Iglesias	.....	... 20
Antonio O'Gutiérrez..	.....	... 40
Juan Lechón Pellejero	.....	... 20
Agustin Santa Ana...	.....	... 30
Francisco Llanes.....	.....	... 10
Leoncio G. Rodriguez.	.....	... 20
Juan Gómez.....	.....	... 10
Marcos Victor.....	.....	... 20
Donato G. Saavedra...	.....	... 10
Francisco L. Rodriguez	.....	... 40
F. Vega Hernández...	.....	... 20
Ramón Cirás.....	.....	... 20
Ramón Vera Suárez...	.....	... 20
Guillermo Zurbita.....	.....	... 20
Marcelino Díaz.....	.....	... 20
Suma.....	606 41	892 04

(*Continuará.*)

IGLESIA DE SAN CARLOS.

He aquí el bautizo efectuado en la iglesia de San Carlos:

Niña María Saturnina, hija de don Pedro Bolado y Edesa y de doña Mercedes Gelup y Valdés. Madrina: doña Rita Gonzalez y Maceda.

REGISTROS CIVILES.

En el dia de ayer 22 se han efectuado las siguientes inscripciones en los Registros Civiles de esta ciudad:

Distrito Norte.

Nacimiento.—D.ª Mercedes Amparo Hernández, nació el 24 de Octubre.

Defunciones.—D. Norberto Callizo y Callizo, natural de Miera (Santander), de 30 años; falleció de meningo mielitis aguda.

Doña Quintina Eduviges López, natural de Matanzas, de 25 dias; falleció de bronco pneumonía.

Don Serafin Gómez y Suárez, natural de Corral Nuevo (Matanzas), de 20 años; falleció de raquitismo.

Distrito Sur.

Defunciones.—D. Alfredo Jorge García y García, natural de Cansaí, de 2½ años; falleció de difteria hipertoxica.

D. Antero Alberto de la Llana y Llaguno, natural de Matanzas, de 10 meses de edad; falleció de fiebre infecciosa.

D.ª Pastora Oliva, natural de San Francisco de Paula, de 8 meses; falleció de eclapsia.

D.ª Andrea Herrera y Morgado, natural de Canarias, de 25 años; falleció de fiebre tifoniatética.

D.ª Isabel Betonos y Cuzman, de 6 dias; falleció de tétanos infantil.

D. Rafael Menendez y Pirez, de 52 años; falleció de enteritis crónica.

AL DIA.

Detenido.

En Colón, fué detenido y remitido á la cárcel á disposición del Sr. Juez de Instrucción, don Ramón Montero por ser el autor de la sustracción de una cuartarola de vino «Riojas» en el Almacen de carga de la Empresa del Ferrocarril de Cárdenas y Júcaro.

Reyerta.

D. Juan Luis de Fuente, con Enrique Barbosa y don Cándido Mancebo, en reyerta, causaron una herida en el carrillo izquierdo que fué calificada de pronóstico reservado, al moreno Cipriano Carcia.

Dichos individuos fueron remitidos al cuartel Municipal á disposición del Sr. Juez de Instrucción del Distrito Sur.

Al Vivac.

El pardo Marcelino Delgado (a) *Diente*, y los morenos Agustin Zambrana y Luciano Carbonell fueron detenidos y remitidos al vivac á disposición del Juzgado de Instrucción del Distrito Norte, como presuntos autores de la sustracción de ropas de vestir á la morena Francisca Dueñas.

Una pedrada.

En la calle de Santa Rita á las once del dia le causaron de una pedrada una herida contusa en la región frontoparietal derecha de dos centímetros de extensión al niño José Mora y Vento.

Noticias comerciales.

Lonja de Viveres.

He aquí las ventas efectuadas en la misma:

1800 barriles aceitunas, 8½ rs.
100 c. queso Patagrás, $28.
90 c. id. id. cte., $28.
50 c. id. vejigo, $29.
100 cantos. cebollas de Vigo, 19 rs.
100 id. castañas gallegas, $4.
100 fardos papel amarillo catalán, 27 cts.
100 s. harina Santander cte., $9 25.
200 s. id. id. 1ª, $9.50.

DE SOL A SOL.

SANTOS DE MAÑANA.—

Viernes 27.—Santos Virgilio, Severino y Josafat, confesores; Facundo y Primitivo.

TEATRO.—

Decididamente la función que se pondrá en escena el sábado próximo será la comedia del chispeante escritor Vital Aza titulada *La Ducha*.

El domingo se pondrá en escena *Militares y Paisanos* á beneficio de benemérito Cuerpo de Bomberos.

Como ambas funciones tienen atractivos suficientes para el público, no duda mos que tendrá la compañía dos llenos completos.

Los precios son los mismos que rigieron en las noches anteriores.

A REGAR.—

Los que no quieren comprar papel de multas ó andar suplicando para que le condonen las impuestas, ya saben que lo primero que tienen que hacer todas las mañanas es regar el frente de sus casas, pues según habrán visto mis lectores en las noticias de ayer, fueron multados la friolera de 120 vecinos por no haber cumplido con la órden del Alcalde de regar el frente de sus casas.

EL PARQUE.—

Ya han terminado las obras del Parque de la Iglesia, y en breve empezará á ponerse la baranda de hierro que ha de rodear el jardin.

La fuente, despues de la limpieza que ha sufrido, no parece la misma que en tiempos atrás estaba en medio de las ruinas del parquecito de Cervantes.

Lo mismo que le ha pasado á esta fuente, podía pasarle á infinidad de cosas que se hallan arrinconadas en los pasos y en la plazas, que en un tiempo eran visitados por el pueblo.

SE ESPERA.—

A la mayor brevedad llegará á esta ciudad.....otra compañía dramática, los caballitos, los bufos, nó, nó, otra cosa: ¡que es ello! Un frio, hombre, un frio que ningún invierno hemos tenido, según nos asegura el P. Bohigas.

Me dice que no ha de haber nadie que pueda salir á la calle para ir á sus quehaceres; que no se podrá trabajar porque no habrá *tino* para ello, y que el que quiera comer habrá de tener un almacen en su casa de viandas y otros tubérculos suficientes para cuatro meses.

Yo, atenido á los resultados ó á lo que venga, acabo de preparar los trastos y la maleta para largarme al Polo Artico.

Eloy Revert
ABOGADO
Medio 96.—Consultas de 1 á 4

Un Matrimonio Feliz.

Puede serlo solamente cuando los cónyugues se encuentran en buena salud.

Las PILDORAS DE VIDA DEL DR. ROSS, tienen la mejor reputación para restituir la salúd.

Purifican la sangre y tomadas en ciertas ocasiones, son un preventivo contra las enfermedades.

De venta en todas las Droguerías.

The Sydney Ross Co., New York.

SUFRO ANTIDIGTERICO
DEL
Laboratorio de la Habana
De venta en la Botica de San Jorge, calle del Medio número 123.
Unico Depósito en esta capital.

La Propaganda.

En esta casa se compran y venden libros.

Tambien se hacen toda clases de trabajos concerniente al arte tipográfico.

ZAPATERIA
La Favorita
DE LUIS MARTIN
RICLA O MEDIO NUMERO 56.

Montada esta casa en inmejorables condiciones y deseoso su dueño de cumplir cual se merecen, sus numerosos favorecedores, ha determinado surtirla en pieles de los mas acreditados fabricantes del extrangero, tanto para caballeros, como para señoras y niños, tambien cuenta esta casa, con un gran surtido de hormas de todas formas, para hacer calzado á las personas de pie delicados, el calzado para niños, á los marchantes de la casa se les dará al costo.

Público no olvideis que esta es la mejor zapatería en Matanzas, y por lo tanto puede trabajar en mejores condiciones que ninguna otra en su giro.

RICLA 56.

GRAN FABRICA DE CIGARROS
"EL TACO"
DE FRANCISCO RIVERO
Habana 188 MANRIQUE 188 Habana

Esta antigua y acreditada fábrica siéndole difícil por sus muchos pedidos en esta, entenderse directamente con sus consumidores, ha tenido por conveniente nombrar único Agente en esta capital á don Manuel Martínez, para cuyo efecto ha quedado abierta dicha Agencia en la calle de Gelabert número 144 y medio.

Debido á la difícil situación y mejoran lo sobre todos á otras regala QUINIENTOS PESOS en premios de 50 pesos á 2 centavos cuyos vales encontrarán dentro de los cigarros.

Fijarse unico Agente Manuel Martinez
GELABERT 144½

¡ATENCION!!
Público Matancero no olvideis la Muebleria
LAS TRES B.B.B.
de Simon Fernandez Zorrilla
situada en la calle de Gelabert No. 92.

Este bien montado establecimiento, teniendo en cuenta la crisis monetaria, realiza preciosos muebles á precios nunca vistos.

Vista hace fé. No olvidarse público matancero que en Gelabert 92, se venden los muebles Bonitos, Buenos y Baratos.

No hay quien compita con los precios de la Muebleria

LAS TRES B. B. B.--GELABERT 92.

También se amueblan casas, se cambian y compran toda clase de muebles. Se venden y alquilan pianos.

(Translation.)

Examination.

An examination was held on Tuesday at twelve o'clock M. for the purpose of deciding the question of competency raised by the military authority and the Court of Alfonso XII in re the prosecution of Don Oscar Céspedes y Figueredo, an American citizen, for the crime of rebellion.

The following is the conclusion reached:

Whereas: Although citizens of the United States, in virtue of the protocol of January 12th, 1877,

are entitled to the privi-
lege of being tried for
any crime committed by
them in Spanish territory
by none but the ordinary
courts, they are debarred
from this privilege if
they commit any crime
of which it is in the prov-
ince of any special au-
thority to take cognizance,
provided that they are
taken with arms in their
hands; and

Whereas: The evidence
transmitted by the military
authority furnishes suffi-
cient ground to consider
Don Oscar Céspedes guilty

of the crime of rebellion, and debarred as aforesaid on account of his having been taken with arms in his hands, so that it is within the province of the military authorities to try him, and not within that of the ordinary courts, according to the provisions of article 9 (no. 3) of the Code of Military Justice:

Now therefore, in view of that legal provision in article 1 of the protocol of January 12th, 1877,

We declare it to be within the province of the military authorities to take cog-

nizance of the case which has given rise to this question concerning competency. Let this decision be brought to the notice of His Excellency the Captain General and the Examining Judge of the Court of Alfonso XII.

Matanzas, November 25th., 1896.

Several signatures follow.

Note.- Oscar Céspedes landed in the island on the 33d. (sic) of June with the expedition commanded by Ricardo Trujillo, and joined Lacret's band.

He was taken prison-
er in the Jicarita Moun-
tains on the 3d. of Sep-
tember by the troops under
Colonel Molina, and is now
in San Severino castle.

No. 249.

ASSISTANT SECRETARY
DEC 9 1896
DEPARTMENT OF STATE.

To Sussdorf, Zaldo & Co.
Dec. 10/96

U. S. CONSULATE GENERAL.

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HABANA, December 4th, 1896.

Mr. ~~LEE~~ SPRINGER

TO THE

DEPARTMENT of STATE.

Com Rpt
To Sussdorf &Co

Complaint of Messrs. SUSSDORF, ZALDO & COMPANY, of New York, against postal authorities of HABANA.

1 Enclosure.

No. 249.

U. S. CONSULATE GENERAL.

HABANA, December 4th,1896.

Honorable William W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

Sir:

In reply to the Department's instruction number 173 of the 23rd ultimo,respecting the complaint made by Messrs.Sussdorf, Zaldo & Company,of New York,that letters sent by them to correspondents here, on the 27th and 10th November,via Tampa,have failed to reach their destination,although catalogues and printed matter mailed the same days,have been received,I have to say that I called personally on the Postmaster General in relation to the matter,and transmit a translation of his reply.

In addition to what he has written,the Postmaster General stated that he had reason to believe that there was considerable looseness in the conduct of postal business in Florida.

I am,Sir,your obt.servant,

James D. Springer

Vice Consul General.

One Enclosure:

Mr.Arrondo to Mr.Springer,Dec.3rd,1896.

Enclosure No.1.

With Despatch No.249.

H A B A N A , December 4th,1896.

TRANSLATION.

OFFICE OF THE POSTAMASTER GENERAL OF THE ISLAND OF CUBA. (PERSONAL.)

HABANA,December 3rd,1896.

Mr.Joseph A.Springer.

Dear Sir:

In answer to your courteous note of the 30th November last, I have the honor to inform you that the investigations made in this office regarding the letters to which Messrs. Sussdorf,Zaldo and Company refer,as mentioned in your note of inquiry,have been fruitless,the investigation being more difficult as the names and addresses of the representatives of the said firm in this Island are not stated. It is,therefore,to be supposed that the letters in question have not arrived at this office because otherwise they would have been delivered as well as the printed material and catalogues which are said to have been received. I can assure you,in order that you may so advise the claimants,if you deem proper,that this office faithfully observes the stipulations of the Universal Postal Convention and is,therefore,incapable of committing such an arbitrary act as that which the said firm gratuitously and without foundation allows itself to suspect them of.

With respect to the complaint they say they have addressed to the Havana postmaster I can only say that this is the first information I have of the matter.

Notwithstanding the above stated,if the said firm persists

in their claim and will furnish more data,new investigations will be made in their behalf.

I am,etc. etc. etc.

(Signed) Bernardo Arrondo,

Postamaster General.

No. 250.

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U. S. CONSULATE GENERAL.

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HABANA, December 5th, 1896.

Mr. ~~XXX~~ SPRINGER

TO THE

DEPARTMENT of STATE.

Transmitting copies and translations of two

Decrees published to-day in the HABANA GAZETTE.

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Two Enclosures.

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No. 250.

U. S. CONSULATE GENERAL.

HABANA, December 5th, 1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

Sir:

I beg to transmit herewith copies and translations of two decrees published in to-day's GAZETTE, one relative to the proper police of the surroundings of fortified towns in the province of Pinar del Rio; and the other respecting the cultivation of unoccupied lands within the zones of such towns.

1/2

I am, Sir, your obedient servant,

Joseph A. Springer

Vice Consul General.

Two Enclosures:

1.- Decree relative to police regulations.

2.- Decree relative to cultivation.

Enclosure No.1.

With Despatch No.250.

H A B A N A , December 5th,1896.

GACETA DE LA HABANA

PARTE OFICIAL

ADMINISTRACION GENERAL

GOBIERNO GENERAL DE LA ISLA DE CUBA

DON VALERIANO WEYLER Y NICOLAU, Marqués de Tenerife, Gobernador General, Capitán General de la isla de Cuba y General en Jefe de este Ejército, etc., etc.

Habiendo observado con disgusto la poca policía que hay en los puntos fortificados, siendo causa de considerable número de enfermos en sus habitantes y en las tropas que los guarnecen y transitan por ellos, prevengo:

1º A la distancia de dos kilómetros al rededor de los mismos, no se dejarán los restos de animales muertos, basuras ni otra cosa alguna que produzca malos olores. La falta de cumplimiento de esta disposición se castigará con una multa de cincuenta pesos, que se impondrá por el Gobernador civil respectivo, á propuesta de cualquiera Autoridad militar ó Jefe de columna que lo haya visto.

2º Los Alcaldes dispondrán que en el contorno de las poblaciones haya una completa policía, procurando que también la haya en las viviendas, y que á los presentados se les facilite albergue ó medios para construirlo, evitando el hacinamiento de personas en malas condiciones higiénicas, y que se mezclen los enfermos con los que no lo están.

3º Donde hubiese lagunas que produzcan malos olores, se procederá á cegarlas y se exigirá que en los ríos y arroyos se lave agua abajo de donde se tome el líquido para beber.

Cuartel General en el Río de los Palacios á 1º de Diciembre de 1896.

Valeriano Weyler.

Enclosure No. 1 —
With Despatch No. 250 —
H A B A N A, December 5, 1896.

Copy-translation.

GENERAL GOVERNMENT of the ISLAND of CUBA.

Don VALERIANO WEYLER y NICOLAU, Marquis of Teneriffe, Governor General, Captain General of the Island of Cuba and General in Chief of thés Army, etc. etc. etc.

Having observed with displeasure the want of police prevailing in fortified places, which is the cause of a considerable number of sick among the inhabitants and the troops that garrison or pass through the same, I hereby give notice:-

1st. Within the distance of two kilometers of the fortified places, no remains of dead animals, garbage nor any other matter which may produce bad odors shall be left. The lack of compliance with this order will be punished by a fine of fifty dollars, to be imposed by the respective civil Governor on the indication of any military authority or Chief of Column, aware of the nuisance.

2nd. The Mayors shall see that in the vicinity of the towns complete police shall be established, also procure the same in the dwellings, and that to the insurgents who surrender, shall be furnished lodgings or means for constructing them, avoiding thereby the accumulation of persons under bad hygienic conditions, and that the sick shall not be mixed with those who are well.

3rd. Marshes producing bad odors shall be drained, and in the rivers or creeks washing shall be done below the place where the liquid is taken for drinking purposes.

Headquarters at Rio de los Palacios, 1st. December, 1896.

(signed) Valeriano Weyler.

---o---

Enclosure No.2.

With Despatch No. 2 5 0.

H A B A N A , December 5th,1896.

DON VALERIANO WEYLER Y NICOLAU, Marqués de Tenerife, Gobernador General, Capitán General de la isla de Cuba y General en Jefe de este Ejército, etc., etc.

Vista la falta de recursos para la subsistencia de las familias que en la provincia de Pinar del Río se han reconcentrado en los puntos fortificados por efecto de mi Bando de 21 de Octubre último;

Vengo en disponer:

1º En cada una de las poblaciones fortificadas de la expresada provincia se señalará una zona de cultivo al rededor del caserío y en la parte exterior de las fortificaciones, con objeto de que los vecinos que ya había antes y las familias presentadas siembren viandas, exceptuándose de esta concesión las que tengan tienda abierta y aquellas cuyo padre ó esposo estén en la insurrección.

2º Para llevar á efecto esta disposición, se constituirá por el Gobernador civil una junta compuesta del Comandante militar, Alcalde, Juez, si lo hubiere, y seis vecinos más que, bajo la presidencia del que se designe, hagan la demarcación de la zona de cultivo, dejando una parte para pasto de animales, y señalando una caballería de tierra para cada cuatro vecinos, con la obligación de proceder desde luego á su cultivo. Será Secretario de esa junta el del Ayuntamiento respectivo.

3º Dicha junta dará conocimiento al Ayuntamiento de sus acuerdos, para que constando en la Secretaría de éste, se lleve un registro, expidiéndose á cada vecino un título provisional del terreno que se le asigne, y dando conocimiento al Gobierno de la provincia para que conste.

4º La posesión de estos terrenos, durará hasta seis meses después de terminada la guerra, y se fijará por un decreto que habrá de cumplimentarse á los tres meses de su publicación en cada punto, no permitiéndose en ellos edificación alguna.

5º Si los terrenos expresados fueren del Estado, provincia ó municipio, se entenderá grátis esta cesión, y si fueren particulares, pagarán cada seis meses vencidos un canon á sus dueños, que se fijará por este Gobierno general á propuesta del Gobernador de la provincia, que lo hará asesorándose de los propietarios y Ayuntamientos de cada punto.

6º No se podrá cobrar á estos colonos, durante el tiempo de la guerra, contribución ni otro impuesto de ninguna clase por el disfrute y cultivo de los solares.

Cuartel General en el Río de los Palacios, á 1º de Diciembre de 1896.

Valeriano Weyler.

Enclosure No. 2 -

With Despatch No. 250 -

H A B A N A, December 5. ,1896.

Copy-translation.

GENERAL GOVERNMENT of the ISLAND of CUBA.

Don VALERIANO WEYLER y NICOLAU, Marquis of Teneriffe, Governor General, Captain General of the Island of Cuba and General in Chief of this Army, etc. etc. etc.

In view of the lack of resources for the subsistence of the families which have gathered in the Province of Pinar del Rio in the fortified places by reason of my proclamation of the 21st. October last, I hereby direct:-

1st. In each of the fortified towns of said Province a zone for the purpose of cultivation will be designated in the proximity of the village and in the exterior part of the fortifications, in order that the residents who were there before and the families presented or surrendered may cultivate vegetables, excluding from this concession those who have an open store and those of whom the father or husband is in the insurrection.

2nd. For the purpose of carrying out this order the civil Governor will appoint a Board composed of the Military Commandant, Mayor, Priest, Judge, if there be one, and besides six residents, which under its designated President shall mark out the district of such zone, leaving one part for the pasture of animals, and allotting a caballeria (33 1/3 acres) of land for every four residents, with obligation to immediately proceed to cultivate it. The Secretary of the respective Municipality shall be the Secretary of the Board.

3rd. The said Board will report its resolutions to the proper Municipality in order that they may appear in the Secretary's office of same for the purpose of keeping a register, issuing to each resident a temporary tile to the lot of land assigned to him, and reporting such fact to the Governor of the province.

4th. The possession of these lots of land will last six months after the termination of the war, and will be established by a decree to be complied with three months after its publication in each place, no building being allowed in them.

5th. If the lots of land referred to belong to the Government, province or municipality, this concession will be gratis, and if belonging to private individuals, a canon (fee) shall be paid to their owners at the expiration of every six months, to b be fixed by this General Government at the request of the Governor of the province, which will do so ~~after~~ advising with the property owners and municipality of each place.

6th. During the time of the war no contribution or tax of any kind will be collected from the tenants for the use and cultivation of such lots.

Headquarters at Rio de los Palacios, Dec. 1st, 1896.

VALERIANO WEYLER/

CHANE'S

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HABANA, December 5th, 1896.

File

Mr. ~~XXX~~ SPRINGER

TO THE

DEPARTMENT of STATE.

File

Relative to ONA MELTON, one of the COMPETITOR prisoners.

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No. 251.

U. S. CONSULATE GENERAL.

HABANA, December 5th, 1896.

Honorable William W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

Sir:

I have the honor to inform the Department that I received from Mr.William L.Delaney of Key West, an affidavit made at Aurora, Arkansas, respecting the American citizenship of D.W. Melton, and birth of ONA MELTON,- one of the COMPETITOR prisoners,- which I sent to the Governor General to be transmitted to the court having cognizance of the case of said COMPETITOR prisoners.

I am, Sir,

Your obedient servant,

Fernando Spring

Vice Consul General.

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HABANA, December 5th, 1896.

Mr. Fairs 12/96
Ackd see. 12/96
To Spain
Dec. 17.

Mr. [redacted] SPRINGER

TO THE

DEPARTMENT of STATE.

CASE of FREDERICK L. CRAYCRAFT.

---o---

One enclosure.

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No. 252.

U. S. CONSULATE GENERAL.

HABANA, December 5th, 1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington, D.C.

Sir:

With reference to despatch number 204 of the 5th November last, in which I forwarded a copy of a letter from Mr. FREDERICK L. CRAYCRAFT, detailing certain outrages committed upon him by Spanish troops on the 4th of same month, I now transmit a copy of his affidavit made before me on the 28th ultimo, embodying a protest and claim for indemnity from the Spanish Government.

I am, Sir,

Your obedient servant,

Joseph A. Springer

Vice Consul General.

One enclosure:

No. 1 Protest referred to.

Enclosure No.1.

With Despatch No.252. HABANA,December 5th,1896.

United States Consulate General,

Habana,November 28.1896.

On this 28th.day of November,1896,before me,the undersigned U.S.Vice Consul General at Habana,personally appeared Mr. FREDERICK LAWSON CRAYCRAFT,a resident of San José de las Lajas, in this Island,who,being first duly sworn,did declare and state as follows:-

That he is a native of Salem,Indiana,United States of America; 24 years of age; that he has been for the last three years engaged as manager of the farm "BOCALANDRO",situated near San José de las Lajas; that on the morning of the 4th. November,1896,between 9 and 10 o'clock,while attending to his business as manager or administrator of the said farm "BOCALANDRO" he heard firing in the direction of the pike road at the entrance of the farm,and within a few minutes three insurgents passed by the farm,pursued by the Spanish cavalry, and he was informed it was cavalry of the PIZARRO regiment. At the time they passed he ordered the family and the employees to close the doors and remain inside. After the two first companies of cavalry had passed he recollected having a fine horse tied near the house,and went out to bring in when more cavalry forces came suddenly upon him. That he showed his American citizenship papers as well as a certificate of the ownership of the horse,which was taken away by one of the Spanish officers. That while he was standing in front of his house he was surrounded by some of the same forces. The officer in command addressing him in an abusive and insulting manner,and asked him what he was doing there. That he then showed him his citizenship papers,and told him that he was the administrator of the farm. That the officer then told him to walk ahead. That he (Mr.CRAYCRAFT) then told the officer that

he was in his own house,and that he had nothing to do with the insurgents,whereupon the officer struck him with his sabre over the head cutting through the rim of his straw hat, down to his shoulders,drawing blood. That the officer then demanded all the money he had,and that he gave him about one hundred dollars,and all he had in the house. Then the officer threatened to kill all and burn the house. When he (Mr.CRAYcraft) entered the house to give the officer the money,the latter used very abusive and insulting language to the ladies. That when the officer departed he made another thrust at him with his sabre but did not reach him.

WHEREFORE this appearer,doth solemnly and truly protest against the said outrages committed on his person and interests by officers of the Spanish Government,and considers himself entitled to claim and indemnity from the Spanish Government,which he estimates at Twenty Five Thousand Dollars,U.S. money,and interest thereon until time of payment,and doth hereby make formal demand and claim upon the said Spanish Government for the said amount of indemnity,and such other relief as may be accorded in the premises.

(signed) FREDERIC LAWSON CRAYCRAFT.

Subscribed and sworn to before me,this 28th day of November,1896.

(SEAL) WITNESS my hand and the seal of this Consulate General.

(signed) JOSEPH A. SPRINGER.
Vice Consul General.

A true copy:-

Vice Consul General.

despatches
Cohyn to workers

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U. S. CONSULATE GENERAL.

HABANA, December 8th, 1896.

Rec'd Dec. 15/96

Mr. ~~KEE~~ SPRINGER

TO THE

DEPARTMENT of STATE.

Complaint of Messrs FAHYS & CO, of New York.

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One enclosure.

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No. 253.

U. S. CONSULATE GENERAL.

HABANA, December 9th,1896.

Honorable William W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

Sir:

I have the honor to acknowledge the receipt of the Department's instruction number 176,of the 28th ultimo,with copy of a letter from Messrs.JOSEPH FAHYS & CO., of New York, relative to certain sample watches which they placed with Mr.J.Llera,who sent them to Messrs.JOSE SOPEÑA & Co., of this city,and which they have not been able to get returned; stating also,that they had"transferred" their claim on SOPEÑA & CO to me ,and that I had never written them.

In reply I beg to state: That I do not recollect having received a letter from Messrs.FAHYS & CO,about a year ago,in which they forwarded to me copies of correspondence and papers respecting the claim they had against SOPEÑA & CO,for watches sold or delivered to Mr.J.Llera,which had been turned over by him to said parties,and asked me to obtain a settlement. Being very much occupied at the time,I could not attend to the matter

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U. S. CONSULATE GENERAL.

HABANA, December 9th,1896.

Honorable William W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

Sir:

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U. S. CONSULATE GENERAL.

HABANA,

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in person,but sent a clerk of the office to see SOPEÑA on the matter,who replied that he had never had any business transactions with FAHYS & CO,that he had bought the watches in question from J.LLERA,and was rather indignant that a claim should be made on him to respond for J.LLERA'S indebtedness to FAHYS & CO,and that he would write at once to both parties about it.

As I heard nothing further on the subject from any one,I presumed that he had opened a correspondence with said firm and had come to some settlement. I have made a diligent search for the letter and papers referred to but they must have become mislaid or destroyed during the removal of the consular offices last June. As FAHYS & CO also mention having written to ex-consul general WILLIAMS,I will add that I find no such letter on file.

Mr.SOPEÑA is now absent in Spain,but his partner has furnished me with a copy of the letter last written by his firm to Messrs.FAHYS & CO,in March last,disclaiming any responsibility in J.LLERA'S business methods or any indebtedness either to

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U. S. CONSULATE GENERAL.

HABANA,

3.

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them or to him.

I enclose said copy with a translation.

I am, Sir,

Your obedient servant,

Leonard Springer

Vice Consul General.

Enclosure.

Copy of letter SOPEÑA & CO to FAHYS & CO, March 15, 1895.

Copy This enclosure to Fahys etc. Dec. 24/96

Enclosure No.1.

With Despatch No.253.

H A B A N A , December 9th,1896.

TRANSLATION. HABANA,March 16,1895.

Messrs. JOSEPH FAHYS & CO.,

41 Maiden Lane,

New York.

Dear Sirs:

We reply with pleasure to your polite letter of the 7th instant.

We are completely ignorant of the matter of which you speak,so we are quite sure,and you will agree with us,that we have never had any business transactions with your goodselves.

If you have had any business to do with Mr.Llera,in commission or in any other form,you must see how you can settle with him,for we cannot meddle in matters that do not concern us.

That you may rest satisfied of our loyal procedure,we sincerely inform you that we have paid Mr.LLera for every article of whatever kind or form he has ever sent us,and he yet owes us quite a balance in cash,which we would be glad to be able to settle,even if to do so we lose part of it.

Please take note of what we herein state for we should very much regret that you should continue to write us in the same strain,knowing that we owe nothing either to you or to Mr. Llera.

We remain etc.

Casa fundada en 1880.
Telegrafo Sopeña
Apartado 620.

Habana 16 de Marzo de 1895.

Sres. Joseph Fahys & Co
41 Maiden Lane
New-York.

Muy Sres. ntros:

Correspondemos gustosos á su atta carta 7 del mes actual.

Desconocemos el particular de que nos hablan, porque estamos seguros, y Vds. convencidos tambien, que nunca hemos tenido negocios con Vds.

Si Vds. los han tenido en comisión ó en otra forma con el Sr. Llera, vean el modo de arreglarlos con él, pues nosotros no podemos mezclarnos en asuntos que no nos incumben.

Para que Vds. queden satisfechos de nuestro leal proceder, sinceramente les anunciamos que hemos pagado al Sr. Llera todos los artículos que de diferente índole y forma nos ha enviado dicho Sr., y aún nos debe una regular suma en efectivo que nos agradaría mucho poder negociar, aunque para ello perdiésemos parte de élla.

Suívanse Vds tomar nota de todo cuanto les decimos, pues sentiríamos que continuasen Vds escribiéndonos en igual sentido sabiendo que ni á Vds. ni al Sr. Llera debemos nada.

Quedamos de Vds. attos y SS

No. 254.

To Madrid Nov 12

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HABANA, December 8th, 1896.

Con. Rel Subrlau
to Gonzalez
Dec. 15/96

Mr. KLEKSPRINGER

TO THE

Substance to J. Gonzalez Phil

DEPARTMENT of STATE.

Case of JOSÉ GONZALEZ, reported as arrested and now in prison at Pinar del Rio.

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One enclosure.

9--------o----------

No. 254.

U. S. CONSULATE GENERAL.

HABANA, December 9th,1896.

Honorable William W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

Sir:

I have the honor to acknowledge the receipt of the Department's instruction number 178 of the 30th ultimo,with copy of a letter from J.GONZALEZ,Jr.,of Philadelphia,relative to the arrest and alleged detention at Habana on the 17th ultimo,of Mr.JOSE GONZALEZ,a citizen of the United States.

With respect to this case,I have to report: When I first saw the item published in "LA LUCHA" of the 17th November,as per enclosure,it at once attracted my attention,as I recollected Mr.GONZALEZ,who had presented himself at this office in August last to obtain a certificate of registration in order to comply with General WEYLER'S decree-from the circumstance that he was very deaf, very persistent,very intense in his American citizenship,and insisted upon being introduced to Consul General LEE. The register of the Consulate contains seven other citizens of the same name,but I was satisfied that the JOSE GONZALEZ arrested was the same one who registered here for the first time,after residing in the Island since 1882. He was naturalized in Philadelphia,and had a passport issued by the Department of State,No.492 July 16,1882,and had been residing here for years,without claiming citizenship.

I refrained from making inquiry of the Government respecting his arrest or notifying it of GONZALEZ' citizenship,until he himself or some responsible person,in his name,should com-

municate to the Consul General the fact of his arrest and ask intervention in his behalf. One, or two days after, two persons, one of whom I know to be a Spaniard engaged in the tobacco business, called at this office and after stating that he knew of the arrest, begged me not to move in the matter until I should hear from him. About a week after, I met in the street the same person, whose name I believe is Diaz, and reminded him of the case, and that I was waiting for some data upon which to address the Governor General and demand the treatment due GONZALEZ as an American citizen. But he informs me that it was at GONZALEZ' own request that he had not called upon the Consulate for intervention, because GONZALEZ believed that he would get out of his trouble much quicker than if he claimed his American citizenship. Diaz further stated, that GONZALEZ had been in his employ in the purchase of tobacco, that he had communicated with him and had sent him money and clothing, and that as GONZALEZ had been long and well known in the vicinity as a peaceful and law abiding resident he trusted to get him out. Consequently, I have not taken any steps in the matter. If upon the usual examination before the judicial authority GONZALEZ claims his citizenship, the judge of instruction may ask this office if indeed he is registered. But if he chooses to conceal his citizenship he can do so with impunity, for as the cedulas or police passes now issued since 1881 to foreigners and nationals are alike in form, the one held by GONZALEZ probably makes no mention of his American citizenship, but states merely that he is a native of Bejucal, giving also his age, occupation and

No._____

U. S. CONSULATE GENERAL.

HABANA,

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residence.

I shall watch closely for further developments in this case.

I am, Sir,

Your obedient servant,

Vice Consul General.

One enclosure:

Translation from LA LUCHA.

Enclosure No.1.

With Despatch No. 2 5 4.

H A B A N A , December 8th,1896.

Translation from "LA LUCHA",of following item.

EVENTS of the DAY.

From Pinar del Rio. November 11th.

x x x x

P R I S O N E R S .

By the passenger train of today,the 11th,there arrived at this city in custody of Chief of police UBIETA,specially commissioned for his capture,Mr.JOSÉ GONZALEZ, native of Bejucal,widower,of commerce,63 years of age, x x x a resident of Las Mangas where he was arrested.

At 8.30 P.M. he was committed to jail at the disposition of the Governor of the Province.---

LA LUCHA.

Habana, martes 17 de noviembre de 1896.

LOS SUCESOS DEL DIA.

Desde Pinar del Rio.

Noviembre 11.

Un detenido.—~~Mercado~~

Presos

Por el tren de pasajeros de hoy dia once, llegaron á esta ciudad, conducidos por el Jefe de Policía, señor Ubieta, comisionado especial para esa captura, don José González, natural de Bejucal, viudo, del comercio, de 63 años, ~~y el moreno Dámaso Granil, natural de Güira de Melena, soltero, labrador, de 63 años, ambos~~ vecinos de las Mangas, donde fueron detenidos.

A las ocho y media de la noche ingresaron en la cárcel, remitidos por el Gobernador Provincial, á cuya disposición quedaron.

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HABANA, December 9th, 1896.

Sub. to J. E. Sibley Dec. 15/96

Mr. ~~XXXX~~ SPRINGER

TO THE

DEPARTMENT of STATE.

PIERCE ATKINSON, reported was killed August 4th.

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One enclsoure.

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Con. Rpt.
Substance to parties interested
NR

No. 255.

U. S. CONSULATE GENERAL.

HABANA, December 9th,1896.

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

With reference to previous telegrams and despatches Nos: 70,of July 29th and 88 of August 18th,relative to the fate of PIERCE ATKINSON,I now transmit copy of a letter received from the insurrection,from which it appears that PIERCE ATKINSON was killed August 4th,in an attack upon the railway train at Taco Taco.

I am, Sir,

Your obedient servent,

Jonah A. Springer

Vice Consul General.

Enclosure:

Copy of letter from CHARLES GORDON to Con sul General LEE.

October 17th,1896.

Enclosure No.I.

With Despatch No. 2 5 5.

H A B A N A, December 9th, I896.

Copy.

La Vilda, October I7th.96.

In Camp of Brigadier Sanchez,

Consul General Fitzhugh Lee,

Dear Sir:

I am writing this at I2 o'clock at night, because some time ago General Aguirre told me that you made inquiries about a young American, Mr.Atkinson. Brigadier Sanchez just told me that he was killed on August 4th, in the attack on the train at Taco-Taco. As I thought you would like to know, I took the liberty to write to you. I am on my way to Gen.Maceo, within 3 leagues of the Trocha, which I intend to pass, if possible.

Most respectfully,

(Signed) Captain Chas.Gordon,

Coronel del Ejercito Libertador.

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HABANA, December 11th, 1896.

Mr. ~~KKK~~ SPRINGER

TO THE

DEPARTMENT of STATE.

Secretary of State
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File

Case of LORENZO VIVES POUS.

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Two enclosures.

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No. 256.

U. S. CONSULATE GENERAL.

HABANA, December 11th,1896.

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

With reference to the case of the American citizen, LORENZO VIVEZ y POUS,reported to the Department in despatches Nos. 225 and 235,of November 21st and 26th respectively, I have the honor to accompany copy of a statement made to this office by Mr.H.G.DART,the New York Herald artist,who had employed Mr.VIVES as an interpreter ; and of a letter received from Mr.VIVES,of the 7th instant.

Upon inquiry made today at the office of the Chief of Staff,I am informed that the case is still in the hands of the Judge instructor,who is making the preliminary examintions. I am, Sir,

Yous obedient servant,

Joseph T. Springer

Vice Consul General.

Enclosures:

1. Mr.H.G.DART to Mr.SPRINGER,Novr 21st,1896.
2. Mr.VIVES to Mr.SPRINGER,Decr 7th,1896.

Enclosure No.1.

With Despatch No. 2 5 6.

Habana, December 11, , 1896.

Copy.

Habana, Nov. 21st. 1896.

Vice Consul SPRINGER,

United States Consulate,

Habana.

Sir:-

In regards to the arrest and imprisonment of the interpreter Mr. TEODORO LORENZO VIVES y POUS, who is alleged to have furnished me with information of some sort against the Spanish Government, I wish to state that he has never furnished me with any information that could be objected to by the Spanish Government, and in fact never spoke to me on any such subject. He simply acted as an interpreter to me, and on one occasion as a model. Further than this I know nothing about him or the cause of his arrest.

Yours very respectfully,

(signed) H. G. DART.

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Enclosure No.2.

With Despatch No.2 5 6.

Habana,December 11,1896.

Copy.

LA CARCEL,

Habana,December 7th,1896.

Mr.JOSEPH A. SPRINGER,

American Vice Consul,Habana.

Sir:-

Wishing to give you a minute detail of my detention and case with the Spanish authorities,I write to you the following lines.

On the 17th.of November I went to the Hotel Inglaterra to see my friend Mr.DART with whom I had some business: on(the) arriving at the Hotel desk to ask permission to go to his room I was pushed out of the Hotel by Mr.VILLAMIL and his interpreter Mr.ALVAREZ and threatened with a stick: the cause or motive of this assault is that having been in the Hotel business myself I was considered by them as a rival in the trade.

Immediately after having been ejected from the Hotel in such an unjustified way Mr.VILLAMIL,due to his influence with the Spanish authorities - as he is a Colonel of Vclunteers - went to the police office and there presented a false charge against me,and had me arrested.

I do not know of what he accuses me but it seems by what I have seen that he pretends to give a political color to this question,as he has threatened to send me to Chafarinas.

Having been arrested I was taken to the police headquarters where I was kept in a most unhealthy and filthy place where I have contracted an attack of rheumatism from which I am still suffering. At the Jefatura I was kept four days incomunicated. Finally at the ninth day I was brought here.

I have been compelled twice to appear before a military Judge who has taken my declaration,although I have protested of the said act.

In my declarations before the military Judge I have denied all the charges preferred against me by Mr.VILLAMIL as they were all completely false. This has so enraged Mr.VILLAMIL that I was nearly struck by him in the presence of the Judge who allowed him to insult me as well as the American nation, the Judge siding with him in the latter insults.

What I have related to you are the details of my case, and I hope you will try and do something for me,for not only it is absolutely false all the charges against me but Mr. VILLAMIL with his influence is trying to give this simple personal question a political color.

Believe me,

Sincerely yours,

(signed) LORENZO VIVES

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No. 257.

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HABANA, December 11th, 1896.

Mr. SPRINGER

TO THE

DEPARTMENT of STATE.

Case of THOMAS F.RODRIGUEZ.

Transmitting letter from General Government with the reply of the Governor of Matanzasto Mr.RODRIGUEZ' statements, and a letter from Mr.RODRIGUEZ.

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Two enclosures.

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No. 2 5 7.

U. S. CONSULATE GENERAL.

HABANA, December 11th, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

With reference to the case of the American citizen Mr. THOMAS F. RODRIGUEZ, reported to the Department from the U.S. Consulate at Matanzas, and in despatch No. 231, Novr 25, of this office, I have now the honor to accompany copy- 1/ translation of a communication from the General Government, transmitting the reply of the Governor of Matan zas to Mr. RODRIGUEZ' statements.

Upon showing this communication to Mr. RODRIGUEZ, who 2/ is now in this city, he addressed this office a letter and requested me to forward a copy of it to the Department.

I am, Sir, your obedient servant.

Jacob M. Springer

Vice Consul General.

Enclosures:

1. Secretary of the General Goverhment to Mr. SPRINGER, Decr 9th,
2. Mr. RODRIGUEZ to Mr. SPRINGER, December 10th, 1896.

Enclosure No.1.

With Despatch No.2 5 7.

H A B A N A , December 11th 1896.

TRANSLATION.

GENERAL GOVERNMENT OF THE ISLAND OF CUBA.

OFFICE OF THE SECRETARY.

The Regional Governor of Matanzas, to whom your communication of the 21st November last, relative to the American citizen Mr.THOMAS F.RODRIGUEZ, was referred, reports to His Excellency the Governor General that the said person, who belonged to the previous separatist war, was summoned by that regional authority because of the complaints produced against him on account of his more or less serious participation in the present events; that the situation in which he was placed, was explained to him as also serious, the more so as he is a foreign citizen and therefore obliged to maintain the strictest neutrality; that as a result of the said statements Mr.Rodriguez agreed that it became necessary that he should leave the province of Matanzas, asking if there was any objection to his taking away his family and settling peacefully the preparations for his journey, which he said would take place towards the end of October. The Governor of Matanzas adds that he acceded with pleasure to these pretensions, without mediating any harsh expressions nor improper manners, and, therefore, he denies the assertion made by the United States Consul at Matanzas that Mr.Rodriguez had been ordered to be expelled, nor that he had been so ordered in a form not very decorous.

By order of H.E.I have the honor to transmit to you the above in answer to your said note.

God guard you many years. Habana, 9 December, 1896.
(Signed) El Marques de Palmerola.

To the Consul General of the United States at Habana.

Enclosure No. 2.

With Despatch No. 257.

Habana, December 11, 1896.

Copy.

Habana, December 10th. 1896.

To the Vice Consul General of the United States,

in Habana.

Sir:-

Acquainted as you are with the answer given by the Governor of Matanzas province to the General Governor of the Island with regard to my complaint about offences received by myself and family, I feel obliged to protest under my word of honor and to declare likewise upon my christian oath, that said Governor of Matanzas province, Mr. ADOLFO PORSET, has cynically behaved himself in denying those fadts which I have plainly and sincerely exposed to you, and which I do herein ratify and confirm.

It is a truth, and a most real truth, that when I was required by him to appear in his presence, in September last, I did it after having informed the American Consul in Matanzas of the occurrence, bearing in mind that the mentioned Spanish Governor had as a rule to treat Cubans and American citizens in the most shameful and arbitrary manner. As I expected, I was insulted by said Governor of Matanzas in a most indelicate manner, being obliged to hear such incorrect and indecent language, as I had never heard before that day.

So far he went on after his abusing phrases as to call me the worst of separatists and to order me, as such, to immediately leave, not only the province under his command, but even the country with all my folks, and not to stay in Cuba a single moment after the 1st. of October.

The Spanish columns, in their military operations in Matanzas province, have stolen all the cattle which were found by them in my estate "SAN JOSÉ", and so they have done with all

what was within their reach in said estate,after having destroyed by flames every building and every property they were not able to carry away with them. Such robberies and devastation may,of course,be denied by the Spanish chiefs,in the same manner as Governor PORSET has done,fearing the results of his arbitrary proceedings against an American citizen,daring now to maintain that he has never intended to to expell me from the country and that he has always treated me in a correct and gentlemany manner.

It has been proved in my protests and claims already established in due time before the American Government,that I have been ill-treated by the Spanish soldiers in this Island who,after setting my estate in flames,have deprived me of all my properties. In their excursions,all kind of depredations are daily committed,and the life of even an American citizen is a mere trifle for their instincts of murder and revenge. It is not a solitary case that of Dr.DELGADO'S and I can prove, by the testimony of many eye-witnesses that infamous butcheries have been committed by those hordes of Spanish soldiers in my own estate "SAN JOSÉ". The Spanish columns of Colonel BUENO have had,with the most awful cruelty,no objection to kill about last November in my neighborhood two poor idiots named ANTONIO ARUCA and BENITO MARCOS. So they did,too,with nine peaceable men in "SANTA SOFIA" estate in September after having put in flames my estate and stolen all my clothes,and even those of my children and family.

So far,however,my claims have never been attended to by the Spanish Government; not yet a formal solution has been given to them by the intervention of the American Authorities. I therefore consider it as a right and as a duty on my part to invite the American Consul General in Habana to believe me upon my word and oath,and to also inform the Department of State.

Your most obedient servant,

(signed) THOMAS F. RODRIGUEZ.

Consr.

No. 258.

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HABANA, December 12th, 1896.

File

Mr. KEE SPRINGER

TO THE

DEPARTMENT of STATE.

Case of ESTEBAN VENERO. Certificate furnished Government respecting his registry as a citizen.

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No. 2 5 8.

U. S. CONSULATE GENERAL.

HABANA, December 12th,

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

In order to inform the Department of the status of the case of the American citizen ESTEBAN VENERO,arrested at Los Palos,as reported on the 1st October last,in despatch No.157, I have to state that upon a request from H.E. the Acting Captain General,of the 9th instant, I have sent him a certificate respecting the inscription of ESTEBAN VENERO in the register of citizens o f this office, as a duly naturalized citizen of the United States.

I am, Sir,

Your obedient servant,

Joshua D. Springer

Vice Consul General.

No. 259.

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Secretary of State.
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HABANA, December 12th, 1896.

Mr. LEX SPRINGER

TO THE

DEPARTMENT of STATE.

Translation of article from "DIARIO de la MARINA", giving the official opinion regarding the President's Message.

Current events.

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one enclosure.

No.2 5 9.

U. S. CONSULATE GENERAL.

HABANA, December 12th, 1896.

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:-

I have the honor to transmit a translation of the leading article of the "DIARIO de la MARINA",of yesterday, respecting the recent message of President CLEVELAND to Congress,which may be taken as an exponent of the official and principal Spanish sentiment prevailing here regarding that document. Considerable anxiety was noticed to learn the opinion of the President on Cuban affairs,as expressed in his Message. Long telegrams were received Monday night but were not made public for three days.

The report of the death of the Cuban leader MACEO,in a skirmish at Punta Brava after having crossed the "trocha" by boat through Mariel harbor,was at first not generally accredited,but supposed to be intended as a counterpoise to the effect that the message of President CLEVELAND might produce in Spain and in the Island. Although the body was not recovered and the place of its burial unmarked and forgotten,yet the event is so circumstantially

U. S. CONSULATE GENERAL.

HABANA,

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vouched for by the different articles stripped from the body, and the statements of the insurgent surgeon who was with him and has since surrendered to the authorities, that no doubts can now be entertained that MACEO is really killed.

General WEYLER returned yesterday afternoon from the field. In anticipation of his arrival handbills had been profusely circulated during the day, calling upon all Spaniards to tender him a manifestation of enthusiasm and regard. Business Exchanges closed for the day and also many shops, to give their owners and clerks an opportunity to take part . Consequently the Plaza de Armas in front of the Palace was packed by a crowd who enthusiastically cheered him on his arrival, on horse-back and escorted by war-worn soldiers.

I am, Sir, your obedient servant,

Joseph A. Springer.

Vice Consul General.

Enclosure:

1. Copy and translation of article from "DIARIO de la MARINA" .

Enclosure No.1.

With Despatch No.259.

H A B A N A , December 12th,1896.

TRANSLATION.

From EL DIARIO DE LA MARINA of HABANA,December 11th,1896.

MR.CLEVELAND'S MESSAGE.

We have expressed several times in these columns our firm conviction that the attitude of Mr.Cleveland with regard to the affairs of Cuba was not as sincere,as frank,as loyal towards Spain as the justice and respect due to the law of nations demanded. When we have heard Canovas del Castillo and other eminent statesmen manifest absolute confidence in the impartiality and in the friendly sentiments of the actual President of the United States,we have always received these affirmations with due reserve,supposing them inspired by the imperative exigencies of diplomacy as we could not attribute them to ignorance of the influence which the atmosphere surrounding Mr.Cleveland might bear on his mind.

Because,despite the proclamations dictated on two occasions by the Federal Administration,exacting the due observance of the so called laws of neutrality,ruling in the United States, and despite the mock trials,to which several filibusters have been submitted by the Federal Courts,without a practical result,except in the case of the steamer HORSA; the fact is that piratical expeditions continued to sail from the ports of the Union bound to our shores,and never was an attempt made to give the only decisive blow for the prevention of such scandals,namely: the trial of the individuals who form the New

York revolutionary Junta ,and their delegates in Pennsylvania, Florida and other places,or,what is still easier,the expulsion from the North-American territory of those persons,disturbers of the public peace; a measure which the Government is sufficiently authorized by law.

The facts have proved us to be right. The Message of Mr.Cleveland,just read before both Houses of Congress,instead of indicating a firm and resolute attitude in rendering homage before the legitimate rights of Spain and of maintaining intact her sovereignty,endeavors to assume a sort of equilibrium between the exigencies of justice which favors us,and the simpathies which the American rabble,the dupe of certain ambitious characters,show to bandits,incendiaries and assassins,becoming thereby their accomplices; and it (the Message) ventures to express considerations regarding a future action on the part of the United States,as a threat to Spain in case this destructive war does not terminate soon and satisfactorily.

In regard to the latter point,Mr.Grover Cleveland might have said that if the war broke out in Cuba,it was because the conspirators in the United States gave the signal of revolt, and were obeyed by a handful of illusionists and by a certain number of malefactors within the Island; and that if the insurrection has prolongued its existence amd committed so many crimes and evils,it has been due to the aid afforded by the United States,availing themselves of the immense difficulties which the Spanish fleet had to encounter in order to prevent their landings on the extensive Cuban coasts. Such an infraction of the laws of neutrality,on the part of American citizens,who acted with the knowledge and in the presence of their Governments,has caused Spain to have imposed and continue to impose upon herself enormous sacrifices in order to protect

life and property in Cuba,and to close all access by land to these shores,as has been finally done,it not being possible to protect sufficiently in any other way the coasts of the Island, within whose jurisdictional waters the prosecution of small vessels only could be made effective.

With respect to the existence of the grievances which, according to Mr.Cleveland,have caused the present revolution, we shall only say now that the actual President of the United States intentionally forces the sense of the words,and shifts the ideas expressed,in an incidental manner indeed,by the Queen Regent,by the Cortes of the Kingdom,and by the most patriotic and illustrious statesmen of our nation. Neither the August Lady,whose name is mentioned,forgetful of parliamentary usage and all international respect,nor the Colegislative bodées of Spain,nor the Spanish politicians or statesmen,have ever said that Cuba had grievances justifying this infamous and iniquitous rebellion. What is shown by the reforms proposed,not by the Government,but by the political parties of Spain as well as those of this Island,is the good will of the Public Powers to ammend and correct certain administrative defects,which were observed to prevail in the government of both Antilles,for which reason it became necessary to grant to their inhabitants a discreet management of their peculiar affairs,as a starting point for still more important and final concessions. And indeed the Law of Bases of the 15th March 1895 caused the conspirators to seriously fear that the trial and practice of such dispositions would calm all impatience and displeasure,even among those most disposed to doubt the success of such legislative measures: for which reason the conspirators of the United States hastened to give orders and instructions to their adepts in this Island,to the end that the insurrectionary movement should break out before the reforms could be planted in Cuba.

Mr.Grover Cleveland cannot be ignorant that since 1878 the Spanish Constitution rules in this Island,the most democratic Constitution existing in monarchical countries. Since then,deputies and senators from Cuba hold seats in the CORTES of the Kingdom,for the purpose of proposing,deliberating and voting laws,not only those which affect Cuba but even those to be observed in all the limits of the Monarchy. Since then, the inhabitants of Cuba and Porto Rico enjoy the individual rights and privileges expressed in the Constitution,on an equal footing with all spaniards residing in the peninsular provinces; and if any exception has been introduced into the Law of Bases and in previous dispositions respecting the regimen and government of the Antilles,it has been exclusively done to facilitate decentralising purposes and to protect and extend the moral as well as the material interests of both Antilles. There is a positive and perceptible fact,not to be denied by an impartial and upright spirit. In all this century,Cuba has prospered more than any other colony.

On the other hand it is very strange that Mr.Cleveland, who has been already twice President of the United Ntates, should want to make the apology of the insurgents by assrting that the supposed grievances have caused the present revolution. Because in international conflicts the interests of humanity,of commerce,of progress and of civilization advise the exhaustion of all peaceful means to terminate any controversy,before taking recourse to arms,in order to avoid the loss of life,the consumption of large capitals,the interruption of traffic and the paralization of industry. With still greater reason should civil strifes be condemned,producing as it does animosities,disturbances and interior conflicts; above all when the purpose to break loose the ties connecting different mem-

bers of the same nation, instead of trusting to time, to patience, to abnegation and to patriotism the solution of whatever problem involving the interests of the same nationality. But as we have already said: there are no grievances; there was not even this pretext to launch upon the unfortunate Cuba all the evils of this unjustified rebellion.

President Cleveland is mistaken when he says that insurgents run through the two thirds of the Island, and that Spain has not reestablished her authority in Cuba. Our forces not only occupy Habana, the ports and principal cities, but all, absolutely all the towns, and they garrison farms and villages from one end of the Island to the other; and the vandalic acts of the rebels are explained by their facility of avoiding by flight, like bandits, the prosecution of our columns, taking advantage of the opportunity which they sometimes have to pillage and raid stores, especially in isolated places, momentarily un-defended. They act as real bandits, and it is well known how difficult it is to stop in a short period of time the evil deeds of bands of malefactors.

Mr. Cleveland does not forget that Spain is the discoverer of America, nor does he fail to esteem the grand qualities of the Spanish race, nor to acknowledge their splendid patriotism and chivalrous adoration of national honor. He also beholds with astonsihment and admiration the enthusiastic resolution with which large bodies of men are sent across miles and miles of the Ocean, and the enormous pecuniary sacrifices incurred to maintain united to the crown of Spain the Pearl of the Antilles He acknowledges , likewise, the obligations of the United States towards the sovereignty of Spain, and states that he will continue to follow the line of conduct he has pursued thus far, showing obedience to the exigencies of political laws, and respect to the duties imposed by the position which the United

States occupy in the family of nations.

But how does this agree with the confused and unappropriate insinuations contained in the Message, relative to measures tending to obtain the brief termination of the war, with honor and advantage for Spain and obtaining at the same time all that is reasonable (what a derision!) in the purposes of the rebellion? Upon fixing our attention on these points, without abandoning the patience with which we have contemplated up to the present the attitude of the United States and of many citizens of that nation, in the gloomy circumstances through which we are passing, we shall limit ourselves, for the present, to say that if that nation opposes the intervention of any other power in the affairs of Cuba, it is Spain's turn to show the same opposition towards all or any government and especially that of the United States. Our answer to all the insinuations to which we allude, is very simple: Tibi non interest. This is of our exclusive incumbency. And happen what it may, because we are ready for any thing, rather than to lose our honor and the indisputable right to see our flag float in America, transmitted to us by our ancestors upon discovering this continent which Spain has civilised and which the anglo-saxons exploit.

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CRANE'S

Enclosure No.1.

With Despatch No. 2 5 9.

H A B A N A , December 12th, 1896.

DIARIO DE LA MARINA

VIERNES 11 DE DICIEMBRE DE 1896

EL MENSAJE DE MR. CLEVELAND

Varias veces hemos consignado en estas columnas nuestra firme convicción de que la actitud de Mr. Cleveland en los asuntos de Cuba no era tan sincera, tan franca, tan leal para con España, como la justicia y los respetos debidos á la ley de las naciones demandaban. Cuando veíamos al señor Cánovas del Castillo y á otros eminentes hombres de Estado manifestar absoluta confianza en la imparcialidad y en los amistosos sentimientos del actual Presidente de los Estados Unidos, recibíamos estas afirmaciones á beneficio de inventario, suponiéndolas inspiradas por imperiosas exigencias de la diplomacia, ya que no podíamos atribuirlas á desconocimiento del influjo que en el ánimo de Mr. Cleveland podía tener el medio ambiente de que se halla rodeado.

Porque, á despecho de las proclamas dictadas en dos ocasiones por la Administración Federal, exigiendo la cumplida observancia de las llamadas leyes de neutralidad, vigentes en los Estados Unidos, y á pesar de los simulacros de juicio, á que varios filibusteros han sido sometidos en las Cortes Federales, sin resultado positivo, fuera del caso del vapor *Horsa;* lo cierto es que continuaron saliendo de los puertos de la Unión expediciones piráticas con destino á nuestras playas, y que jamás se intentó dar el único golpe decisivo para evitar semejantes escándalos: el enjuiciamiento de los individuos que constituyen la Junta revolucionaria de Nueva York, y de sus delegados en Pensilvania, Florida y otras localidades ó, lo que es más fácil, la expulsión del territorio norteamericano de esos individuos, perturbadores de la paz pública; medida para la cual el Gobierno se halla suficientemente autorizado por la legislación de la vecina república.

Los hechos han venido á darnos razón completa. El Mensaje del Presidente Cleveland, que acaba de leerse en ambas Cámaras del Congreso, en vez de indicar una actitud firmemente resuelta para rendir homenaje ante los legítimos derechos de España y para mantener intacta su soberanía, intenta guardar una especie de equilibrio entre las exigencias de la justicia que nos favorecen, y las simpatías que el populacho americano, haciendo el juego de algunos ambiciosos, muestra en favor de bandidos, incendiarios y asesinos, de quienes en rigor se hacen cómplices el uno y los otros; y se aventura á expresar consideraciones sobre una acción *futura* por parte de los Estados Unidos, como amenaza contra España para el caso de que no termine pronto y satisfactoriamente esta guerra asoladora.

Lo que acerca de esto último pudiera haber dicho Mr. Grover Cleveland es que si la guerra estalló en Cuba, fué porque los conspiradores de los Estados Unidos dieron la señal del alzamiento, siendo obedecidos por un puñado de ilusos y por cierto número de facinerosos dentro de la Isla; y que si la insurrección ha prolongado su existencia y cometido tantos crímenes y maldades, esto se debe á los auxilios enviados desde los Estados Unidos, aprovechando las dificultades inmensas de que la escuadra española impidiera esos alijos en la gran extensión del litoral cubano. Esa infracción de las leyes de neutralidad, por parte de ciudadanos americanos, que obraban por decirlo así á ciencia y paciencia de su gobierno, ha sido causa de que España se haya impuesto y continúe imponiéndose enormes sacrificios, para protejer vidas y haciendas en Cuba, y para cerrar por la parte de tierra todo acceso á estas playas, como al fin se ha conseguido, ya que no era dable proteger suficientemente de otro modo las costas de la Isla, dentro de cuyas aguas jurisdiccionales sólo podía hacerse efectiva la persecución de pequeñas embarcaciones.

En cuanto á la existencia de agravios que, según expresa Mr. Cleveland, han causado la presente re-

volución, sólo diremos por ahora que el actual Presidente de los Estados Unidos fuerza intencionalmente el sentido de las palabras, y tergiversa las ideas emitidas, de una manera incidental por cierto, por la Reina Regente, por las Cortes del Reino y por los más patriotas é ilustrados hombres de Estado de nuestra nación. Ni la augusta Señora, cuyo nombre se emplea con olvido de las prácticas parlamentarias, y de todos los respetos internacionales, ni los Cuerpos Colegisladores de España, ni los políticos y estadistas españoles, han dicho jamás que Cuba tuviese agravios que justificaran esta infame é inícua rebelión. Lo que demuestran las reformas propuestas, no por el Gobierno, sino por todos los partidos políticos de España y por los de esta Isla, es la buena disposición de los Poderes Públicos á enmendar y corregir ciertos defectos administrativos, que se advertían en el gobierno de entrambas Antillas, por lo cual se hacía preciso conceder á sus habitantes una discreta intervención en el manejo de sus peculiares asuntos, como punto de partida para más importantes y ulteriores concesiones. Y la verdad es que la Ley de Bases de 15 de marzo de 1895 infundió en los conspiradores grandes temores de que el ensayo y la práctica de esas disposiciones calmasen toda impaciencia y todo disgusto, aun en los ánimos más predispuestos á dudar del buen éxito de semejantes medidas legislativas: por lo cual los conspiradores de los Estados Unidos se apresuraron á dar órdenes é instrucciones á sus adeptos en la Isla, á fin de que el movimiento insurreccional estallase antes de que las reformas pudieran implantarse en Cuba.

Mr. Grover Cleveland no debiera ignorar que desde 1878 rige en esta Isla la Constitución Española, la más democrática que existe en países que aceptan la institución monárquica. Desde entonces los diputados y senadores de Cuba toman asiento en las Cortes del Reino, para proponer, deliberar y votar las leyes, así las que afectan á las Antillas, como las que deben guardarse y cumplirse en todos los ámbitos de la monarquía. Desde entonces los habitantes de Cuba y Puerto Rico gozan de los derechos individuales y de los fueros y franquicias consignados en la Constitución, al igual de todos los españoles que residen en las provincias peninsulares; y si alguna excepción se ha introducido en la Ley de Bases y en disposiciones anteriores respecto del régimen y Gobierno de las Antillas, tiene exclusivamente por objeto facilitar propósitos descentralizadores, y proteger y ensanchar los intereses morales y materiales de la una y la otra Antilla. Hay un hecho positivo y palpable que un espíritu imparcial y recto no puede desconocer. En todo este siglo, Cuba ha prosperado más que ninguna otra colonia.

Por lo demás, es muy extraño que Mr. Cleveland, que ha sido ya dos veces Presidente de los Estados Unidos, quiera hacer la apología de los insurrectos al asentar que los supuestos agravios han causado la presente revolución. Porque en conflictos internacionales los intereses de la humanidad, del comercio, del progreso y de la civilización aconsejan agotar todos los medios pacíficos para terminar cualquier controversia, antes que acudir á las armas, á fin de impedir la destrucción de vidas preciosas, el consumo de grandes capitales, la interrupción del tráfico y la parálisis de la industria. Con mucho mayor motivo deben condenarse las contiendas civiles, que producen odios, perturbaciones y conflictos intestinos; sobre todo cuando se proponen desatar los vínculos de unión entre diferentes partes de un mismo Estado, en vez de confiar al tiempo, á la paciencia, á la abnegación y al patriotismo la solución de cualquier problema que lleve envueltos los intereses de una misma nacionalidad. Pero ya lo hemos dicho: no existen agravios; no hubo ni siquiera este pretexto para lanzar sobre la infortunada Cuba todos los males de esta injustificada rebelión.

Se equivoca el Presidente Cleveland cuando dice que los insurrectos recorren los dos tercios de la Isla, y que España no ha restablecido su autoridad en ella. Nuestras fuerzas ocupan, no sólo la Habana, los puertos y principales ciudades, sino todas, absolutamente todas las poblaciones, y guarnecen fincas y caseríos desde el uno hasta el otro extremo del territorio; y los hechos vandálicos de los rebeldes se explican por la facilidad de esquivar, siempre huyendo y á guisa de bandoleros, la persecución de nuestras columnas, aprovechando la oportunidad, que alguna vez se les presenta, para pillar y saquear algún establecimiento, sobre todo en lugares aislados, que se encuentren momentáneamente indefensos. Obran como verdaderos bandidos, y ya se sabe cuantas dificultades se presentan para poner coto en breve tiempo á las fechorías de bandas de facinerosos.

No olvida mr. Cleveland que España es la descubridora de América, ni deja de estimar las grandes cualidades del pueblo español, ni de reconocer su espléndido patriotismo y su caballeroso culto al honor nacional. Ve también con admiración y asombro la entusiasta resolución con que se envían grandes masas de hombres al través de millas y millas del Océano, y los enormes sacrificios pecuniarios que se están haciendo para que la costosa posesión de la Perla de las Antillas continúe engastada en la corona de España. Reconoce además las obligaciones de los Estados-Unidos hacia la soberanía de España, y expresa que continuará la línea de conducta que ha seguido hasta ahora, demostrando obediencia á las exigencias del derecho político, y respeto á los deberes impuestos por la posición que ocupan los Estados-Unidos en la familia de las naciones.

Pero todo esto ¿cómo se compadece con las nebulosas y baldías insinuaciones que el mensaje contiene, sobre medidas encaminadas á obtener la pronta terminación de la guerra, con honor y ventaja para España y consiguiéndose al mismo tiempo todo lo que hay de razonable (¡qué irrisión!) en los propósitos de la rebeldía? Al fijar la atención en estos particulares, sin abandonar la paciencia con que hasta ahora hemos contemplado la actitud de los Estados Unidos y de muchos ciudadanos de esa nación, en las tristes circunstancias en que nos encontramos, nos limitaremos, á decir, hoy por hoy, que si esa nación se opone á que cualquiera potencia intervenga en los asuntos de Cuba, España está en el caso de mostrar la misma oposición respecto de todos y cualesquiera gobiernos, y señaladamente de los Estados Unidos. Nuestra respuesta á todas las insinuaciones á que aludimos, es muy sencilla: *Tibi non interest*. Esto es de nuestra *exclusiva* incumbencia. Y suceda lo que quiera, porque á todo estamos dispuestos, menos á perder la honra y los indiscutibles derechos que á ver flotar nuestra bandera en América nos dieron nuestros antepasados al descubrir este continente que España ha civilizado y los anglo sajones explotan.

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No. 260

ASSISTANT SECRETARY
DEC 21 1896
DEPARTMENT OF STATE

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U. S. CONSULATE GENERAL.

HABANA, December 15th, 1896.

Secretary of State
DEC 21 1896

Mr. ~~LEE~~ SPRINGER

TO THE

DEPARTMENT of STATE.

Case of the "COMPETITOR" prisoners.

Examination of ALFRED LABORDE.

---------o----------

one enclosure.

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No. 260.

U. S. CONSULATE GENERAL.

HABANA, December 15th, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

I have the honor to transmit herewith, copy of a letter received from ALFRED LABORDE, one of the "COMPETITOR" prisoners, respecting certain phases of his examination by the authorities, in the prosecution of the case against him.

I am, Sir,

Your obedient servant,

Jacket Springer

Vice Consul General.

Enclosure:

1. Mr. LABORDE to Mr. SPRINGER, December 11th, 1896.

Enclosure No. 1 —

With Despatch No. 260 —

H A B A N A, December 15.1896.

Copy.

FORT CABAÑA, December 11.1896.

JOSEPH A. SPRINGER, Esq.,

U.S.Vice Consul General.

Sir:-

I beg to inform you that yesterday's afternoon I was ordered by the actual military Judge of the prosecution of the "COMPETITOR'S" crew, to dress a military's suit with the purpose of being recognized by some one. Of course I formally protested of such act and refused to be disguised that way. He answered immediately that he was going to compel me by force and fearing to become the victim of his brutality I obeyed. As he did not allow my protest to be comsidered, I hurry to let you know this and afford a proof in the way justice is dealt with me.

I am, Sir,

Your humble servant,

(signed) ALFRED LABORDE

Master.

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Copy for

No. 2 6 1.

ASSISTANT SECRETARY
DEC 21 1896
DEPARTMENT OF STATE

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REC'D.
DEC 21 1896
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U. S. CONSULATE GENERAL.

HABANA, December 16th, 1896.

Secretary of State
DEC 21 1896

Mr. LEEX SPRINGER

TO THE

DEPARTMENT of STATE.

Case of JULIO SANGUILY.

Slips from judicial notices of "DIARIO de la MARINA" respecting his trial, set down for 21st instant.

---o---

Two enclosures.

No. 2 6 1.

U. S. CONSULATE GENERAL.

HABANA, December 16th, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

I have the honor to transmit herewith, for the information of the Department, the accompanying clippings from the "Judicial Notices", of the "DIARIO de la MARINA", respecting the case of JULIO SANGUILY, which is set down for a public hearing, ("juicio oral",) on the 21st instant.

1/2

I am, Sir,

Your obedient servant,

Joseph D. Springer

Vice Consul General.

2 cuttings from "DIARIO" and translation.

Enclosure No.1.

With Despatch No. 2 6 1.

H A B A N A , December 16th,1896.

DIARIO DE LA MARINA.

MARTES 15 DE DICIEMBRE DE 1896

NOTICIAS JUDICIALES

LA CAUSA DE SANGUILY

En la causa instruida contra don Julio Sanguily y Garit, por el delito de rebelión, la sección primera de lo criminal de esta Audiencia ha dispuesto, en proveído de ayer, que se libre comunicación al Ilmo. señor Presidente del Tribunal, á fin de que designe dos señores magistrados para que con los tres que conocen de esta causa, señores don Ricardo Maya, don Juan Valdés Pavés y don José Novo y García completen el número de cinco, necesarios para formar sala el día señalado para la celebración del juicio oral.

También ha dispuesto dicha sección, que se requiera al procesado Sanguily, para que designe Letrado que le defienda en virtud de encontrarse guardando prisión el Licenciado don Miguel F. Viondi, que le defendió anteriormente; apercibiéndole de que si no lo verifica, ó el nuevamente elegido, no acepta, se le nombrará el que le corresponda en turno.

MIERCOLES 16 DE DICIEMBRE DE 1896

LA CAUSA DE SANGUILY.

Han sido designados para completar el número de cinco magistrados que han de formar sala el día 21 del actual, señalado para la celebración del juicio oral de esta causa, los señores D. Adolfo Astudillo de Guzmán y D. Manuel Vias Ochoteco.

El procesado Sanguily, á quien se requirió ayer para que nombrase abogado que le defienda, ha suplicado al tribunal que se la concedan tres días para hacer la designación, porque no ha recibido contestación de aquellos letrados á los cuales se ha dirigido, y su situación de preso le imposibilita practicar diligencias con más actividad.

Enclosure No.2.

With Despatch No.2 6 1.

H A B A N A , December 16th,1896.

Translation.

"DIARIO de la MARINA". Judicial Notices.

THE CASE of SANGUILY.

Tuesday,December 15,1896.

In the case instituted against JULIO SANGUILY y GARIT, for the crime of rebellion,Part 1.of the Criminal Court of this Superior Court,(Audiencia) in a decree of court dated yesterday,has ordered that the President of the Court be notified to appoint two magistrates who with the three who have the cognizance of this case,Messrs RICARDO MAYA,JUAN VALDES PAGES and JOSÉ NOVO y GARCIA,shall make up the number of five,necessary to compose the court upon the day set down for the public hearing.

The same Part has also ordered that the accused , SANGUILY,he notified to name an advocate to defend him in view of the fact that Don MIGUEL VIONDI,who defended him on his previous trial is now himself in prison; advising him also that should he not do so, or in case the one newly appointed does not accept the charge,the court will name the lawyer in turn corresponding.

-----o------

WEDNESDAY, December 16th,1896.

In order to complete the full number of five magistrates who are to compose the Court on the 21st instant, ordered for the public hearing(juicio oral) of this case, have also been designated Messrs ADOLFO ASTUDILLO de GUZMAN and MANUEL VIAS OCHOTECO.

The accused SANGUILY who was yesterday,notified to appoint an advocate to defend him,has begged the court to grant him three days wherein to name one,for the reason that he

has not received replies from the lawyers to whom he has applied, and his situation as a prisoner prevents him from making more active efforts in the matter.

-----o--------

No. 262

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U. S. CONSULATE GENERAL.

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HABANA, December 17th, 1896.

Mr. LEE SPRINGER

TO THE

DEPARTMENT of STATE.

Case of OSCAR CESPEDES. Statement of ONA MELTON, one of the "COMPETITOR" prisoners regarding his case.

One enclosure.

No. 2 6 2

U. S. CONSULATE GENERAL.

HABANA, December 17th,1896.

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

I transmit herewith copy of a letter from ONA MELTON, one of the "COMPETITOR" prisoners,addressed to Consul General LEE'S son.

I transmit this copy for the sake of the statements it contains respecting the case of OSCAR CESPEDES,in prison at Matanzas,which may prove of interest to the Department.

I am, Sir,

Your obedient servant,

Vice Consul General.

Enclosure:

1. ONA MELTON to FITZHUGH LEE, Jr, Decr 6th,1896.

Mr Adee.

This would seem to justify the trial by military comm. notified.

Dear Rockhill

While I incline to think that Cespedes was, on this showing an insoumis revolutionist, I would hesitate to give in to the Spanish contention that he was captured in armed resistance. I think we are morally bound to stretch the arms in hand clause as much in favor of our citizens as possible - I incline to think we should state these facts (without mentioning the authority) as having come to the Departments knowledge, and claim that Cespedes was not captured while in armed resistance and that therefore we must protest against his submission to military trial upon the opinion of the Malcuzas Court - If the Spanish Govt. rests on that opinion it is bound to furnish us a full copy of the proceedings and proof.

Might you not consult the Secy about this.

Dec. 22. AAA

Enclosure No.1.

With Despatch No. 2 6 2.

H A B A N A , December 17th,1896.

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copy.

Fort CABAÑA, Cell 41. HABANA, Decr 6th,1896.

Mr.FRANK(Fitzhugh) LEE, Jr.

Dear Sir:

I have just read the "autO"concerning the case of OSCAR CESPEDES,published in "LA LUCHA",in which certain statements are made that I am convinced are false.

I knew CESPEDES in Key West. I have not heard a word of CESPEDES' deposition or defense that he made when captured. I know in a manner positive about the capture of CESPEDES, but I cannot explain to you how I know it for fear that my letter might not get to its proper destination. The visitors here are sometimes searched,and I do not wish to cause any one trouble. If it were of any importance to you to know,I could explain in private. I do not know that this will be new or of any practical value to you as I do not know what has been proven in regard to CESPEDES' capture,but it seems to me that his case is exactly similar to the "COMPETITOR" case,and that the Spanish authorities wish to establish a precedent in CESPEDES' case for similar proceedings in the "COMPETITOR" and other cases. The following is the exact statement:-

OSCAR CESPEDES an American citizen came to Cuba in the expedition of RICARDO TRUJILLO,and was with the insurgent army in Matanzas Province several weeks,at the end of which time the insurgents were encamped at the "prefectura" of Jicarita,an isolated place in the mountains where the insurgents had a hospital. When the rebels left this place,they took all their sick and wounded who were well enough to be moved,but there were two men who were so sick that no one thought that they would ever recover. These men were OSCAR CESPEDES and a man whose surname was LEON, and they were

left in the hospital with one man to take care of them, whose given name was PRIETO. All the arms of the sick men were taken from them as is customary and given to able-bodied men. This much comes to me direct, the rest that follows is of course second hand.

Shortly after the three men were left at the hospital, LEON died, but CESPEDES began to recover. A few days later a party of soldiers appeared, PRIETO ran away and escaped. CESPEDES was not able to run away and naturally was captured in the hospital and un-armed.

I am convinced that the above is exactly true, but as you are aware no Cuban would be fool enough in the present state of affairs to risk his life by daring to act as a witness for an American citizen.

Heping that this will be of interest if not of importance to you, I remain faithfully,

(Signed) ONA MELTON.

GRANT'S

No. 263.

To be acknowledged Dec 12

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U. S. CONSULATE GENERAL.

HABANA, December 19.1896.

File

Mr. ~~XXXX~~ SPRINGER.

TO THE

DEPARTMENT of STATE.

File

Case of JOSÉ GONZALEZ.

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No.263.

U. S. CONSULATE GENERAL.

HABANA, December 19.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

With reference to the case of JOSÉ GONZALEZ,as reported in despatch No.254,of the 9th.instant,I have to state that I have private information direct from Pinar del Rio,that JOSÉ GONZALEZ,the person referred to in your instruction No.176, of the 30th.ultimo,is in the jail of that city. He states that he is an American citizen but has not yet claimed citizenship,because his declaration has not yet been taken.

He attributes his arrest to the fact that whereas a number of farms in Las Mangas adjoining the one of which he had charge,were burned by the insurgents,his place was untouched and received no damage whatever. Therefore be became an object of suspicion to the authorities and was arrested.

He is well cared for,and friends in Habana have furnished him with money and clothing. I expect yet further report concerning him through the friends mentioned which will be promptly transmitted.

I am,Sir,

Your obedient servant,

Jonathan T. Springer

Vice Consul General.

No. 264.

DIPLOMATIC
JAN 25 1897
BUREAU.

Dupli to Treaties Jan 28

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1896

HABANA, December 19.1896.

Mr. ~~XXX~~ SPRINGER.

TO THE

DEPARTMENT of STATE.

Claim for Indemnity of Mr.OSCAR GIGUEL.

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One enclosure.

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No.264.

U. S. CONSULATE GENERAL.

HABANA, December 19.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

At the request of Mr.OSCAR GIGUEL,a citizen of the United States,and a resident of this city,I transmit herewith copy of a protest against the Spanish Government made by him before me on this day,embodying a claim for indemnity for losses to his property and interests,by depredations of the insurgent forces in January and June last;which indemnity he estimates at One Hundred Thousand Dollars.

I am,Sir,

Your obedient servant,

Vice Consul General.

Enclosure:-

Claim for indemnity.

Enclosure No.1.

With Despatch No. 264.

H A B A N A , December 19th,1896.

COPY.

U.S.CONSULATE GENERAL.

HABANA,December 19th,1896.

On this 19th day of December,1896,before me,the undersigned U.S.Vice Consul General at Havana,personally appeared Mr.Oscar Giguel,of this city,who being first duly sworn did declare and state as follows: that he is a native of this Island, 34 years of age,born of American parents,and a citizen of the United States,registered as such in this Consulate General; that he is the owner of the sugar estate "San Jose" (a) "Buen Hijo",in the district of Guayabal,province of Pinar del Rio, upon which estate were situated the following houses and buildings:

A boiler house,built on wood,covered with a tile roof,and having inside the machinery for the manufacture of sugar.

A dwelling house,built of stone and mortar,tile roof, piazzas,and twelve rooms.

A house for the laborers,and infirmary,built of the same material as the former,divided into seven departments.

A carpenter shop,the same material as above.

A purging house,of the same material.

Overseer's house,built of same material,with six appartments.

Hen and chicken house and apiary,made of wood and french tiles,and a stable; that on the 7th of January,1896,the insurgents invaded the province of Pinar del Rio and burned all the cane fields; that during the Holy Week of the following month

of April,the place was again invaded by insurgent parties and all the buildings destroyed by fire; and he estimates the damage and loss done to this property to amount to $85.000 ,gold.

That he is also the owner of the farm "La Reforma",situated in Cantarranas,municipal district of Cano,which had on it the following buildings:

Store and grocery: of wood and tiles,measuring 22 by 53 metres.

Dwelling house: of same material,measuring 19 by 27 metres.

A hut: made of wood and thatch roof with two tile covered sheds and piazzas,measuring 10 by 9 metres.

Laborers' quarters: of same material as the store,18 by 13 metres; that on the 20th June,1896,other insurgent forces came in the place and burned all the buildings; and he estimate the damage and loss done to this property to amount to $15.000 gold.

Wherefore he doth protest and claims from the Spanish Government,which he considers responsible for the losses and damages sustained in his property,and interests, for not having afforded him sufficient protection thereof,an indemnity equal to the amount of his losses,or say one hundred thousand dollars gold,and interest thereon till time of payment.

(Signed) Oscar Giguel.

Subscribed and sworn to before me this 19th day of December 1896.

(Signed) Joseph A.Springer,

SEAL. Vice Consul General.

A true copy
Joseph A. Springer
Vice Consul General

ASSISTANT SECRETARY
DEC 29 1896
DEPARTMENT OF STATE.

No. 2 5 5.

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HABANA, December 19th, 1896.

File

Mr. LEE SPRINGER

TO THE

DEPARTMENT of STATE.

Death of ANTONIO MACEO.

No. 2 5 5.

U. S. CONSULATE GENERAL.

HABANA, December 19th, 1896.

Hon: William W. Rockhill,
Assistant Secretary of State.
Washington. D. C.

Sir:-

In my despatch no. 259, of the 12th instant, brief mention was made of the death of the insurgent general MACEO, by the Spanish troops, to the effect that notwithstanding the belief was at first general that it was but a rumor started to counteract the expected effect of the PRESIDENT'S message, yet it had been so circumstantially vouched for, that it must be true. On this account General WEYLER'S return from operations on the 11th instant, was made the occasion of a popular manifestation which it was endeavored to make appear to be spontaneous. It was during this manifestation that General WEYLER declared from the balcony of his palace to the assembled multitude,---- mindful perhaps of the similar situation in which General MARTINEZ CAMPOS found himself a year ago,----- that "he would bring back peace to this Island but it should be under his direction."

On that same afternoon a force of about 24 of the Orden Publico, or military police, was stationed on the corners and along the street in front of the building in which this Consulate General is situated, who patrolled the street all night. I did not become aware of this fact until the following day. This guard was kept up for several days, but has now been reduced to two extra police. I have since mentioned to the Secretary of the General Government, that the consulate had not asked for and needed no guard, that it was satisfied that the usual police force was sufficient protection, and in case of need, that assistance would be prompt. But the Secretary,--

U. S. CONSULATE GENERAL.

HABANA.

the Marqués de PALMEROLA.--- stated that the Captain General had ordered it as a precautionary measure,for it was expected that the streets would be filled with crowds enthusiastic over the death of MACEO,and return of the General,and he did not intend that the least hostile manifestation against the United States should be made,even by the shout of an irresponsible drunken man.

On Sunday evening,the officers of the volunteer corps, with torches and bands of music,gave General WEYLER a military serenade. There was the usual reception of the principal officers of the Government,and fervid patriotic speeches uttered,based upon the expectations raised by the killing of MACEO. General WEYLER in his address was so elated that he declared that it was only his duty as a soldier that kept him in the Island,but if necessary,he would be glad to devote all his energies,as soon as the Island was pacified,to the labor of reconstruction of the country and the opening up of its springs of wealth,and to endeavor in her political order that Cuba should be granted what was most convenient to her wellbeing and happiness,and to procure the harmoni - sation of the aspirations of all parties towards that end.

But the shouts of joy with which the killing of MACEO was welcomed here,have died away in murmurs of distrust. In Spain greater importance was given to the event than here,and it was considered the beginning of the end,and that the insurgents would at once present themselves or surrender,in large numbers, but these expectations have failed to materialize. It is said that General WEYLER could scarcely conceal his angry impatience at the hundreds of telegrams that have poured into the Palace from Spain and all parts of the Island,in congratulation of Major CIRUJEDA,and the lucky

U. S. CONSULATE GENERAL.

HABANA.

accident of war that has won for him fame and promotion.

The reticence of the Government in furnishing the particulars that would naturally be expected of such an occurrence,has given rise to a number of the most startling reports,some of which I have seen reproduced from the newspapers received from the United States,and which has caused great indignation in all Spanish and official circles. These accustomed to read between the lines of the bulletins regarding Spanish operations,easily perceive a tendency to conceal or slur over certain details in the statements allowed to be made public regarding MACEO'S death,which surrounds with a degree of mystery the reports first given out.

The last official report published today in "LA LUCHA", is in the shape of an interview with thesurgeon who was with MACEO at the time he was killed,Dr.MAXIMO ZERTUCHA. Briefly, his statement is that MACEO had delivered his command to SALVADOR RIUS RIVERA,and with a small party,on the 3rd Decr reconnoitered the "trocha",and on one occasion while in hiding south of the Estate "LAS CAÑAS",had endeavored to overhear the Spanish countersign,which was either"Eureka" or "Eurikia",but one of the party being discovered,they all had to retreat and were fired upon. That on the night of the 4th, they succeeded in passing in a boat,to the number of sixteen, and making five trips for the purpose,past the entrance of Mariel harbor. There were besides MACEO,Generals PERICO DIAZ and JOSE MIRÓ; Colonels ALBERTO NODARSE and (CHARLES) GORDON, an American; Majors ALFREDO JUSTIZ,PIEDRA,PEÑALVER, RAMON AHUMADA; Captain SAUVANELL, MACEO'S aid,Lt: FRANCISCO GOMEZ TORO, son of MAXIMO GOMEZ; MAXIMO ZERTUCHA,surgeon;the mulatto JUAN and negroes BENITO,RICARDO and JOSÉ,orderlies to MACEO and MIRÓ. That they proceeded on foot until they reached

U. S. CONSULATE GENERAL.

HABANA.

the camp of Lt. VASQUEZ,where they procured horses,and were joined by the bands of SILVERIO SANCHEZ,BALDOMERO ACOSTA, JUAN DELGADO and RICARDO SARTORIUS.

The next morning,the 7th, a column of the enemy was sighted between Rincon and Govea. MACEO ordered his forces into line of battle,and then advanced with MIRÓ,JUSTIZ,ZERTUCHA,SAUVANELL,NODARSE,GORDON and AHUMADA,into a field, which had stone walls front and rear,a guava grove on the right and a dense thicket on the left. Behind one of the stone fences was a line of Spanish skirmishers which fired the volleys that killed MACEO and wounded nearly all his staff. A sharp combat ensued between the flanks and center of MACEO'S forces with the Spanish column commanded by Major CIRUJEDA,and MACEO on horseback and waving his machete,was wounded by a bullet in the lower jaw,which passed out through the lower left side of the neck,rupturing the caratoid and producing death in less than a minute. He fell from his horse and Dr. ZERTUCHA ran forward to assist him,and even while examining him,a second bullet struck him in the right side. NODARSE and JUZTIZ both received bullets and died afterwards at Govea. All the rest of the staff were also wounded and took to flight. ZERTUCHA alone tried to lift the body onto the horse,when PANCHO GOMEZ TORO came up,appalled at the death of MACEO,and while trying to help ZERTUCHA,received a bullet in the breast which also shattered his right elbow,andfell across MACEO'S body. ZERTUCHA tried to assist GOMEZ to rise, but he with a wound in the left shoulder which he had got at Cayajabos,would not allow him,saying they must first carry off MACEO'S body,and regardless of his own wounds,endeavored to raise it. Then ZERTUCHA mounted and rode off for assistance.

U. S. CONSULATE GENERAL.

HABANA,

MACEO'S fall was as yet unperceived. In the meanwhile,it is said that GOMEZ wrote the few lines found on his person,and then committed suicide by stabbing himself in the breast with his knife,which was afterwards reported as MACEO'S. The Spanish guide JUAN SANTANA TORRES and several"guerrilleros" came up and were engaged in stripping the body when ZERTUCHA with PERICO DIAZ and others ,returned to carry off the bodies,and opened fire on the guide and "guerrilleros" who retreated carrying off MACEO'S field glasses and other objects found on him. The battle terminated after a sharp struggle and CERUJEDA'S column marched off to Punta Brava, with the proofs of having killed two of the insurgent leaders who it was afterwards found were MACEO and GOMEZ' son. The insurgents carried off the bodies together with more of their killed and wounded,and among the latter were ACOSTA and DELGADO,with bullets in their legs. MACEO and GOMEZ were buried by a detachment at the head of which was PERICO DIAZ,and he and those with him have kept the place a secret.

This is one of the points upon which the Government is very reserved. It is quite plain that the rebel forces got the best of the encounter and obliged CERUJEDA'S column to retreat to Punta Brava,and the identity of the fallen leaders was not at first known.

Dr.ZERTUCHA, after the insurgents had joined the bands commanded by AGUIRRE,RAUL ARANGO and NESTOR ARANGURAN, succeeded in escaping and surrendered to Colonel TORT at San Felipe. ZERTUCHA further states that if the reports of the American press concerning him were true,he could scarcely have remained with the insurgents until he determined to present himself,or surrender, and further declares that the statement drawn up

and subscribed by all theinsurgent officers who took part in the combat in which MACEO was killed,is in existence, and that it describes the event as it occurred and he has stated.

ZERTUCHA it is said will return to Spain,while CERUJEDA continues to be the recipient of honors and presents of all kinds,and it is proposed to give his entire column a Christmas banquet.

Private information I have received,admits the death of MACEO,and while deploring it,does not believe that it will be such an expected set-back to the insurgent cause as hoped for by the Government. It is positively asserted that he did cross the "trocha" in the vicinity of the Estate"LAS CAÑAS" and MARTINEZ MESA,and whipped the government troops in the encounter with CERUJEDA.

I am, Sir,

Your obedient servant,

Jonathan Springer

Vice Consul General.

Enclosure No.1.

With Despatch No. 265.

HABANA, December 19th, 1896.

INTERVIEW

Dr. ZERTUCHA

En la Hababa

Sabiendo que el Dr. D. Máximo Zertucha, se encontraba ayer en la Habana, le buscamos y logramos celebrar con él una larga entrevista.

Como conoció Zertucha á Maceo

El Dr. Zertucha es hombre culto, sumamente locuaz, de unos 40 años próximamente, de regular estatura, delgado, de ojos azules, rubio, usa lentes por ser miope y ha encanecido bastante durante los meses que ha estado en la manigua.

Zertucha es Dr. en Medicina de las facultades de la Habana y de Méjico.

Como afiliado al partido de Unión Constitucional, desempeñó en Melena del Sur, el cargo de Alcalde Municipal, y más tarde fué, en el mismo pueblo, Juez municipal.

Hará unos cinco ó seis años, el Dr. Zertucha obtuvo una plaza de médico en los vapores de la Compañía Trasatlántica que hacen viajes á la América del Centro.

En uno de sus viajes á Costa Rica tuvo ocasión de tratar, en Puerto Limón, á Antonio Maceo, á quien Zertucha conocia de vista, de cuando estuvo el cabecilla en la Habana, durante la interinatura del general Cavada, después de la muerte del general Salamanca.

Maceo se encontraba en Costa Rica, al frente de una finca de campo, si bien no cesaba de conspirar contra la soberanía de España en la Isla de Cuba.

—Maceo, dice Zertucha, me atrajo á la causa separatista. Celebramos varias entrevistas y, como no me parecia correcto que continuase yo sirviendo un destino que debia á caracterizados y respetables españoles, renuncié la plaza de médico de los vapores y me quedé en la Isla definitivamente.

Zertucha se incorpora.

En 4 de Febrero del corriente, se incorporó el Dr. Zertucha á la partida del titulado brigadier Perico Diaz, en Melena del Sur.

En 13 de Marzo fué nombrado Zertucha Jefe de Sanidad de la propia partida de Perico Diaz, en la provincia de Pinar del Rio; y cuando el médico de Maceo, el Dr. Hernández, fué herido en un encuentro con nuestras tropas, Zertucha fué llamado por su antiguo amigo de Puerto Limón, é incorporado al Estado Mayor del cabecilla oriental.

Zertucha intima con Maceo

Manifiesta Zertucha que Maceo le distinguia con su preferente amistad, y que cuando murió de un balazo en Ceja del Negro, el cabecilla Freixas, secretario de Maceo, él, Zertucha, desempeñó este cargo de confianza interinamente.

Zertucha, y algunas veces el titulado brigadier, Jefe de Estado Mayor de Maceo, José Miró y Argenter, y luego el hijo de Máximo Gómez, eran los únicos que comian con Maceo.

Sobre las bo as americanas

Interrogado Zertucha sobre las versiones propaladas por el *Sun*, el *World*, el *Herald* y otros periódicos norte-americanos, referentes á la muerte de Maceo, dijo Zertucha:

—Por unos periodistas americanos me he enterado de todas esas patrañas, cuya certeza rechazo enérgicamente. Jamás enviado alguno del general Weyler visitó á Maceo, ni éste recibió nunca ofrecimientos para pactos con las Autoridades de la Isla. Se dice en esos periódicos que cuando el Jefe de Policía de la Habana, comandante don Manuel de la Barrera, estuvo en Pinar del Rio, agregado al Estado Mayor del general Weyler, yo me puse al habla con dicho jefe. Esto es falso completamente, pues ni siquiera tengo el honor de conocer al señor La Barrera. Respecto de mi amistad con el caballeroso coronel Tort, es tan antigua, y sólo de índole particular, que desprecio cuanto se invente sobre este extremo.

—En el *Herald*,—manifestamos nosotros,—aparece un señor llamado Antonio Serrano que dice que en ocasión de llevar él mismo á su hijo para que se incorporase á las filas de Maceo, observó con extrañeza que se hallaba usted, al lado del cabecilla oriental. Agrega Serrano que llamó aparte á Maceo y le preguntó si tenia confianza en usted, que Maceo le indicó que si, y que entonces Serrano dijo á Maceo, que siendo él vecino de Melena del Sur, usted le instó repetidas veces á que entregase á la Guardia Civil á Manuel García, á quien Serrano ocultaba en su casa, en ocasión en que este bandolero se hallaba herido.

—Todo eso, dijo Zertucha, es falso. El tal Serrano se oponia á que su hijo Antonio ingresase en la insurrección, y mal pudo, por tanto, llevárselo á Maceo, á quien tampoco se incorporó, sino que frente á mi casa, montó en un caballo de su padre y se unió á la partida de Cayito Alvarez y de Antonio Núñez, en el ingenio «Luisa» de Herrera, pasando luego á la de Vidal Ducassi, de cuyo cabecilla es hoy ayudante, en Pinar del Rio. En cuanto á lo que dice sobre Manuel

García, sólo contesto que como Alcalde Municipal, en cumplimiento de mi deber, jamás transigí con el bandolerismo, y hube de perseguir, por tanto, á Manuel García, y á su íntimo amigo Antonio Serrano, cuya estampa nunca fué vista por mí, durante el tiempo que estuve con Maceo.

El general Bernal.

Interrogado Zertucha acerca de los encuentros sostenidos con Maceo por los diversos jefes de columna, en la Vuelta Abajo, y opinión que sobre el ejército abrigaba el cabecilla oriental, dijo el ex-médico de Maceo:

—Maceo sentía admiración por el soldado español, al que siempre colmaba de elogios por lo sufrido, valiente y heróico; y sobre sus generales se extendía en las mismas consideraciones, sobre todo cuando hablaba del general Bernal, de quien decía *que pegaba*.

También elogiaba mucho el cabecilla á los generales Arolas y Echagüe y á los coroneles Sánchez Echevarría, Rotger y Francés.

Pase de Maceo.

Hacia dias, dice Zertucha, que Antonio Maceo entregó el mando de las partidas de Pinar del Rio al cabecilla Salvador Rius Rivera, portorriqueño que ya figuró en la pasada insurrección, y á quien Maceo mandó á buscar expresamente para ello á la República del Salvador, en donde se encontraba.

Maceo, con un pequeño grupo, exploró el dia 3 de Diciembre los alrededores de la Trocha. Tratamos de sorprender el santo y seña, al sur del ingenio «Las Cañas», y no pudimos, en la inseguridad de si era *Eurikia* ó *Eureka*, porque desde nuestro escondite no logramos oirlo perfectamente.

Por una imprudencia de Alberto Nodarse, que levantó la cabeza, nos divisó el centinela de un fuerte, que nos dió el *¡quién vive!*; no contestamos, y hubo el correspondiente tiroteo, retirándonos nosotros.

El dia 4 logramos pasar, á las 11 de la noche, por la boca del Mariel, en un bote, en cinco expediciones.

Dicho bote lo habíamos apresado, en unión de su botero; lo escondimos, y luego, cargado, entre todos, incluso el mismo Maceo, lo llevamos hasta el punto en que embarcamos.

Los que pasaron con Maceo

Diez y seis, solamente—dice Zertucha,—fuimos los que acompañamos á Antonio Maceo.

Nos dijo sus nombres. Helos aquí: «Perico» Díaz, José Miró, titulados brigadieres; Alberto Nodarse, titulado coronel; Gordon, coronel norteamericano; Alfredo Justiz, Piedra, Peñalver, Ramón Ahumada, titulados comandantes; Sauvanell, titulado capitán, blanco, ayudante de Maceo, de quien era ahijado; Francisco Gómez Toro, titulado teniente, hijo de Máximo Gómez; Máximo Zertucha, titulado brigadier, jefe de Sanidad.—Además, el pardo Juan, y los morenos Benito, Ricardo y José, todos orientales, asistentes de Maceo los tres primeros, y el último de Miró.

En la primera expedición fueron Maceo, Díaz, Sauvanell, Gordon y el botero. Estos dos últimos remaban.

Se incorporan á Vázquez

Ya en tierra, siguieron, á pie, hasta el campamento del titulado teniente Vázquez, donde tomaron caballos y se les fueron incorporando las partidas de Silverio Sánchez—parte de la que mandaba Zayas,—Baldomero Acosta, Juan Delgado y Ricardo Sartorius. Este Sartorius es el que se sublevó en Purnio, antes de la actual revuelta.

Columna enemiga á la vista

El dia 7, á las once y media de la mañana, en el campamento de San Pedro, entre Rincón y Govea, los exploradores anunciaron:

—¡Columna enemiga á la vista!

Maceo ordenó á su gente que se pusiese en orden de combate. Silverio Sánchez, en el centro; Pedro Díaz, en el flanco izquierdo, y Juan Delgado con Acosta en el flanco derecho.

Maceo, con Miró, Alfredo Justiz, Zertucha, Sauvanell, Alberto Nodarse, Gordon y Ahumada, se dirigió á un cuartón circundado por ambos frentes de cercas de piedra, por el lado derecho había un guayabal y en el izquierdo una espesa manigua.

En la cerca de piedra, frente al grupo se encontraba una línea de fuego de nuestra valerosa infantería.

De allí partieron las descargas que pusieron fin á la vida de Antonio Maceo é hirieron á casi todo su estado mayor.

Muerte de Maceo

Los flancos y el centro se encontraban en reñido combate con la columna española al mando del valiente comandante de San Quintín, don Francisco Cirujeda.

Maceo estaba sobre su caballo, con el machete desenvainado, cuando una bala de Maüser le penetró por la sinfisis mentoniana, saliendo por la región posterior lateral izquierda de la base del cuello, rompiendo el proyectil en su trayecto el paquete vascular carotoideo, produciendo la muerde de Maceo, por hemorragia, en el espacio poco más ó menos de un minuto.

Cayó del caballo Maceo, y Zertucha fué á prestarle auxilio, y estando reconociéndolo, recibe Maceo, ya muerto, un segundo balazo en el hipocondrio derecho, sin salida.

Estaban allí Miró, Górdon, Nodarse, Ahumada y Justiz, todos los cuales

salieron heridos; y mortalmente Nadarse, con un balazo en el pecho, y Justiz con dos, en el muslo derecho uno, y otro en la ingle. Estos dos han muerto después, en la prefectura de Goveá.

El hijo de Gómez

Todo el estado mayor de Maceo se habia dispersado. Zertucha, solo con el cadáver hacia esfuerzos para ponerlo encima del caballo, cuando llegó Pancho Gómez Toro, consternado por la muerte de Maceo.

Pancho Gómez comenzó á ayudar á Zertucha, y al ir á levantar el cadáver, recibe un balazo, que atravesándole la caja toráxica y el brazo derecho en la región del codo, cayó Gómez sobre el cadáver de Maceo.

Fué Zertucha á auxiliar á Gómez, pero éste, que ya tenía otro balazo en el hombro izquierdo, que recibió en la acción de Cayajabos, por lo que llevaba el brazo en cabrestillo, se negó á que Zertucha le curase, diciéndole enérgicamente que primero había que sacar de allí el cadáver de Maceo, el cual, á pesar de su segunda herida, hacia esfuerzos por levantar el hijo de Máximo Gómez.

Entonces corrió Zertucha, montado en un caballo, en busca de gente. Nadie se había apercibido aún de la muerte de Maceo.

Mientras tanto, Gómez escribió el papel que se le halló encima, y con su cuchillo, que es el publicado en La Lucha, y no el de Maceo, se suicidó infiriéndose una puñalada como de tres centímetros de extensión entre el tercero y cuarto espacio intercostal izquierdo, al nivel del borde del esternón.

En esto, se acercan el práctico Juan Santana Torres y dos guerrilleros.

Llega el auxilio

Llegan entonces Zertucha con Perico Díaz y otros para llevarse los cadáveres. Sostienen fuego con el práctico y los guerrilleros, los cuales se llevaron los gemelos de campaña y otras prendas de Maceo y Gómez.

Termina el combate.

Después de reñida lucha, terminó el combate. La columna de Cirujeda marchó á Punta Brava, con las pruebas de haber dado muerte á dos cabecillas que luego resultaron ser Maceo y el hijo de Gómez.

Se retira la partida

Las partidas, presa de la emoción consiguiente, se llevaron los cadáveres y cargaron con sus otros muertos y heridos. Entre éstos con balazos en las piernas iban Acosta y Delgado.

Maceo y Gómez fueron enterrados por una comisión, á cuyo frente iba «Perico» Díaz. Este y los que le acompañaban reservaron el sitio donde fueron ambos enterrados, y Zertucha dice que lo ignora.

Presentación de Zertucha

Zertucha, después que las partidas se reunieron con las de Aguirre, Raul Arango y Néstor Aranguren, logró separarse y se presentó al coronel Tort.

Dice Zertucha que si fuese verdad lo propalado por la prensa americana mal podria haber estado en unión de esos cabecillas hasta que decidió presentarse, y que además ahí está el acta levantada y firmada por todos los jefes que concurrieron al combate, en la que consta como murió Maceo, de la manera descrita por Zertucha.

Propósitos de Zertucha

Zertucha piensa marcharse á la Península, y allí, retirado, vivir tranquilamente en un pueblo de Vizcaya, á no ser que «dos señores de New York no le sacan de sus casillas y le obligan á publicar su defensa.»—*Arnauló.*

No. 266.

To Madrid Nov 12

ASSISTANT SECRETARY
DEC 28 1896
DEPARTMENT OF STATE

INDEX BUREAU
REC'D.
DEC 26 1896
DEPT. OF STATE

U. S. CONSULATE GENERAL.

HABANA, December 23rd, 1896.

Ackd by reference Dec. 30/96

Mr. SPRINGER.

TO THE

DEPARTMENT of STATE.

File

File no information additional to what has already been given the inquirer

Case of JOSE GONZALEZ, in prison at Pinar del Rio.

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Two Enclosures.

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No. 266.

U. S. CONSULATE GENERAL.

HABANA, December 23rd,1896.

Honorable William W.Rockhill,

Assistant Secretary of State,

Washington,D.C.

Sir:

With reference to previous despatches numbers 254 and 263 of the 8th and 19th instant,respecting the American citizen JOSE GONZALEZ,in prison at Pinar del Rio,I have the honor to accompany copy translation of a letter from him dated 18th December,received the 21st instant,in which he asks this office to claim him as a citizen; and also of my communication to the Governor General to that effect.

1/

2/

I am,Sir,

Your obedient servant,

Jerauld D. Springer

Vice Consul General.

2 Enclosures:

No.1 - Mr.Gonzalez' letter.

No.2 - Mr.Springer to the Governor General.

Enclosure No.2.

With Despatch No. 266.

Habana, December 23.1896.

Copy.

United States Consulate General,

Habana, December 22.1896.

To His Excellency,

The Governor and Captain General of the Island of Cuba,

etc. etc. etc. etc. etc. etc.

Excellency:-

It has come to the knowledge of this office, that on the 9th. and 10th. of last November, JOSÉ GONZALEZ, a native of Bejucal, 63 years of age, widower, of commerce, residing at Las Mangas, was arrested at that town and committed to prison at Pinar del Rio on the 11th. November.

The said GONZALEZ is a naturalized citizen of the United States since the year 1882, is duly registered in this Consulate General, having been furnished by this office, under date of August 14th. 1896, with a certificate of his register to effect said inscription at the ~~Consulate~~ General. Government,

As I am informed, as yet he has not been examined by the authorities.

I therefore respectfully request Y.E. to order his immediate release, should there be no charges against him, and if on the contrary, that he be proceeded against as a citizen of the United States, in accordance with the Treaty of 1795 between the United States and Spain, and the Protocol of January 12.1877, by transferring his case to the action of the civil or ordinary jurisdiction; and also notify this office that I may communicate the same to my Government, of the resolution that may be taken respecting this case which has afforded me honor of addressing Y.E.

God guard Y.E. many years.

(signed) JOSEPH A. SPRINGER

Vice Consul General.

Enclosure No.1.

With Despatch No. 266.

Habana, December 23.1896.

Copy translation.

Pinar del Rio, December 10.1896.

To the Consul of the United States,

Habana.

Sir:-

For more than a month and a half past, I have been held in the jail of this city, without knowing the reason; and as up to the present, they have not taken my statement, I beg that you will do me the great favor to claim for me. I cannot be more explicit for reasons you will understand.

I am, Sir,

Very respectfully,

Your obedient servant and citizen

(signed) JOSÉ GONZALEZ.

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Copied for C

Habana,
Dec. 23. 1896.

INDEX BUREAU
REC'D.
DEC 30 1896
DEPT. OF STATE

Form No. 3.

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Indy

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THOS. T. ECKERT. President and General Manager.

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DEC 30 1896
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Confirmed Dec. 26/96

Assistant Secretary of State
Washington DC

Trial Sanguily commenced Monday finished today sentence within three days

Springer

ASSISTANT SECRETARY
DEC 29 1896
DEPARTMENT OF STATE.

No. 267.

U. S. CONSULATE GENERAL.

INDEX BUREAU
REC'D.
DEC 29 1896
DEPT. OF STATE

HABANA, December 24th, 1896.

Secretary of State
DEC 29 1896

Mr. DEXX SPRINGER

TO THE

DEPARTMENT of STATE.

HENRY J.DELGADO, an American taken prisoner in Pinar del Rio province, brought to Habana and now in San Ambrosio or Military Hospital.

---o---

three enclosures.

---o---

No. 267.

U. S. CONSULATE GENERAL.

HABANA, December 24th, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir :-

On the 21st instant, I received a note from ALFREDO LABORDE, of which I accompany a copy, enclosing a few lines written in pencil without date or address, signed HARRY J. DELGADO. In his note LABORDE calls DELGADO and American citizen, and stated that he was now at the San Ambrosio Hospital, and also that upon leaving his calabozo, No. 51, in Fort Cabaña, he was outraged by the officer.

Upon investigation, I have learned that DELGADO is the same person who is mentioned in a recent report of military operations in the province of Pinar del Rio, as having been made prisoner and that he belonged to the Staff of the insurgent Major General and commanded the artillery. It is also stated that a letter to MACEO and one from MACEO to the Prefect of Las Tumbas were found on him.

I am informed that DELGADO was a native born american, formerly in the employ of the WARD Steamship Line of New York, as purser on the Steamer "YUCATAN", and by telegrams of inquiry received today from the United States, that he was a correspondent of the New York "Mail & Express".

I consequently have addressed a communication to the Governor and Captain General, claiming for him as a native born citizen all the rights to which he is entitled under the treaty and protocol .

I have to advise the following telegram, partly in cypher, of this date :-

No. 267.

U. S. CONSULATE GENERAL.

HABANA,

" Habana, December 24th,1896.

"Assistant Secretary of State.-- Washington. D. C.

" HENRY J.DELGADO,native born citizen,taken prisoner

"about fifteenth,in hospital here,incommunicated.Has been

"claimed by me under the treaty. (Signed) SPRINGER.

Which I now confirm.

I am, Sir,

Your obedient servant,

Jerede A. Springer

Vice Consul General.

Enclosures:

1. Mr.LABORDE to Mr.SPRINGER, with enclosure of lines from Mr.DELGADO.

2 x 3. Copy and translation of article from "LA LUCHA".

Enclosure No.1.

With Despatch No. 2 6 7

H A B A N A , December 24th,1896.

Copy.

Fort Cabaña, December 18th,1896.
(Received Decr 21st.)

Mr.Springer. American Consul.

Sir:

I enclose you a letter of an American citizen. He is at the Hospital San Ambrosio.

I beg you to call the attention on him,he is very sick, when he went out from the dungeon,No.51,he was outraged by the officer with bad words.

I am,yours respectfully,servant,

(Signed) ALFRED LABORDE.

Copy of enclosure.

Thanks for your kindness. I want to see the Consul as soon as possible,if you will please send him word to come.

They caught me without arms,nor have I confessed having any. I was sick in a "bohio" (hut) for ten weeks and was too weak to run away.

Yours sincerely,

(Signed) HARRY J.DELGADO.

Enclosure No. 2.--.

With Despatch No. 2 6 7.

H.A B A N A , December 24th,1896.

TRANSLATION.

PINAR DEL RIO

December 16,1896.

x x x x x x

x x x x x x x

Lieutenant Colonel Cevallos in obedience of instructions from General Melguizo,and in order to complete the plan of operations realized under his personal direction,left Guane,in combination,on the 6th instant,with the column of Colonel San Martin,for the purpose of making extensive reconnoiters through Naranjal,Montezuelo,Caracoles,Tumbas de Estorino ,la Manaja and Bartolo,where,according to creditable information,several rebel forces,availing themselves of the abruptness and roughness of the country,had taken refuge in their attempt to avpid the very active pursuit of the troops.

The rebels having been defeated at Bayaja,las Tumbas and Bartolo,abandoned,in complete dispersion,those haunts,badly used up and routed.

Two Prefectures were captured,which were burned by our troops;their camps devastated;theirplantings destroyed;and their cattle and live stock taken from them.

Twelve prisoners were made.

Among the prisoners there are several of distinction in the insurgent ranks,one of them being HENRY DELGADO,so-called aid of the staff of the Major General,and in charge of the artillery.

A letter addressed to Maceo was found on his person and also an order from the latter recommending the Prefect of las Tumbas, to attend him with the interest and consideration due to his rank.

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Enclosure No. 2.---

With Despatch No. 267.

HABANA, December 24th, 1896.

De Pinar del Rio.

Diciembre 16 de 1896.

El señor Cevallos

En la tarde de ayer, después de veinte días de operaciones, entró en esta ciudad el valiente batallón de Asturias, que mandaba el prestigioso militar, coronel teniente coronel de Estado Mayor, señor Cevallos. De este distinguido jefe nada hemos dicho hasta hoy, porque nada sabíamos de las operaciones por él llevadas á cabo en la persecución del enemigo y como, al regresar la columna, hemos podido adquirir algunos datos de personas que nos merecen entero crédito, nada más natural que las demos á conocer á los constantes lectores de LA LUCHA, cuya representación llevo en esta apartada región.

El teniente coronel señor Cevallos, cumpliendo instrucciones del general, señor Melguizo, y, para completar el plan de operaciones realizadas bajo su dirección personal, salió desde Guanes, en combinación, el día 6 del actual, con la columna del coronel señor San Martín, con objeto de practicar extensos reconocimientos, llevándolos á cabo por el Naranjal, Montezuelo, Caracoles, Tumbas de Estorino, la Manaja y Bartolo, por donde, según confidencias fidedignas, aprovechando los rebeldes lo abrupto y escabroso del terreno y los recursos que les ofrecía, se habían refugiado algunas partidas tratando de esquivar la activísima persecución de que estaban siendo objeto.

Batidas las partidas en Bayajá, las Tumbas y Bartolo, abandonaron, en completa dispersión, aquellas guaridas, maltrechos y derrotados.

Se les tomaron dos Prefecturas, que fueron quemadas por nuestras tropas; arrasados sus campamentos; destruidos todos sus sembrados; recogiendo todas las reses y ganados que tenían en su poder.

Se les hicieron doce prisioneros.

Entre los prisioneros figuran varios de graduación en las filas insurrectas, siendo uno de ellos *Henry* Delgado, titulado ayudante de Estado Mayor del Mayor General, y encargado de la artillería.

En su poder se encontró una carta dirijida á Maceo y una orden de éste, previniendo al Prefecto de las Tumbas, le asistiera con interés y le guardara las consideraciones debidas á su jerarquía.

ASSISTANT SECRETARY
DEC 30 1896
DEPARTMENT OF STATE.

No. 2 6 8.

U. S. CONSULATE GENERAL.

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HABANA, December 24th, 1896.

Mr. ~~XXX~~ SPRINGER

TO THE

DEPARTMENT of STATE.

Case of OSCAR CESPEDES.

The case has been sent to Military Governor at Matanzas, to commence proceedings under military jurisdiction.

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One enclosure.

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No. 2 6 8.

U. S. CONSULATE GENERAL.

HABANA, December 24th,1896.

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:-

With respect to the case of the American citizen OSCAR CESPEDES,in prison at Matanzas,as reported in Despatch No,248, of the 3rd instant, I have now the honor to transmit a translation of a communication from the General Government, to the effect that the Superior Court of Matanzas having decided the question of competency in favor of the military jurisdiction,the case had been sent to the Military Governor of Matanzas to commence proceedings under military jurisdiction.

I am, Sir,

Your obedient servant,

Joseph T. Scherger

Vice Consul General.

One enclosure.

Secretary of General Government to Consul General,Decr 23rd,'96

Enclosure No.1.

With Despatch No.268.

Habana,December 24.1896.

Translation.

General Government of the Island of Cuba,

Office of the Secretary General.

To the Consul General of the United States of America,

Habana.

Sir:-

His Excellency the Captain General in a communication dated 19th.instant,says to H.E.the Governor General as follows:

"Excellency:- The copy of several parts of the case "referring to the American citizen OSCAR CESPEDES "FIGUEREDO,having been returned by the Superior Court of "the District (Audiencia Territorial) of Matanzas,with "a certificate of its decree deciding in favor of the "jurisdiction of war ~~to take~~ the competency to take cog- "nizance of the crime of rebellion committed by said "CESPEDES;under this date I transmit said documents to "H.E.the General Military Governor of Matanzas in order "that the corresponding proceedings may be commenced in "said city,by a Judge instructor, - which I have the "honor to communicate to Y.E.for your knowledge and in "continuation of my note of 31st.October last.

By order of H.E.,I have the honor to transmit same to you,for your knowledge,and with reference to your communication of the 23rd.October last,relative to the same subject.

God guard you many years. Habana,December 22.1896.

(signed) El Marqués de Palmerola.

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G, Madrid
Nov 2

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Com Rel
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Mr. ~~KEE~~ SPRINGER

TO THE

DEPARTMENT of STATE.

File

Case of ANTONIO SUAREZ del VILLAR.

Case will be sent to ordinary civil jurisdiction, Cienfuegos.

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One enclosure.

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No. 2 6 9.

U. S. CONSULATE GENERAL.

HABANA, December 24th, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:-

With reference to Despatch No. 167, of the 7th ~~instant~~ October, relative to the case of ANTONIO SUAREZ del VILLAR, an American citizen in prison in Cienfuegos, I have the honor to transmit herewith a translation of a communication from the General Government to the effect that the military jurisdiction having been inhibited in favor of the ordinary civil jurisdiction, the case would be sent to the Judge of First Instance and of Instruction at Cienfuegos, for prosecution.

2/

I am, Sir,

Your obedient servant,

Joseph A. Springer
Vice Consul General.

Enclosure.

Secretary of General Government to the Consul General, Decr 23.

Enclosure No.1.

With Despatch No.269.

Habana, December 24.1896.

Translation.

General Government of the Island of Cuba,

Office of the Secretary General.

To the Consul General of the United States of America,

Habana.

Sir:-

His Excellency the Captain General in a communication dated the 8th.instant, says to H.E.the Governor General as follows:-

"Excellency:- Under this date and in accord with what "is proposed by the Judge Advocate General, I inhibit my ju- "risdiction in the cognizance of the cause commenced against "the American citizen ANTONIO SUAREZ del VILLAR, for treason "(infidencia) in favor of the Judge of First Instahce and of "Instruction of Cienfuegos; - Said cause will be remitted to "the aforesaid Judge as soon as due copies are made, which I "advise you is being done with all dispatch."

By order of H.E.I have the honor to transcribe same to you, for your knowledge, and with reference to your communication of the 6th.of November last, relative to the subject.

God guard you many years. Habana, December 22.1896.

(signed) El Marqués de Palmerola.

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U. S. CONSULATE GENERAL.

File

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HABANA, December 24th, 1896.

Mr. ~~EEE~~ SPRINGER

TO THE

DEPARTMENT of STATE.

Case of LOUIS LAY.

Case will be sent to civil jurisdiction, Judge of Instruction at Guanabacoa.

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One enclosure.

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No.2 7 0

U. S. CONSULATE GENERAL.

HABANA, December 24th,1896.

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

With reference to the case of LOUIS LAY,an American, reported in despatch No.208,of November 12th, I have the honor to transmit herewith translation of a communication from the General Government,to the effect that the military jurisdiction having been inhibited in the case of said LAY, charged with aiding the rebellion,the said case would be sent to the Court of Instruction of Guanabacoa,as soon as certain copies were made of part of same,for prosecution under the ordinary jurisdiction.

I am, Sir,

Your obedient servant,

Josiah D. Springer

Vice Consul General.

Enclosure.

Secretary of General Government to Consul General,Decr 23rd,189

Enclosure No.1.

With Despatch No.270.

Habana,December 24.1896.

Translation.

General Government of the Island of Cuba,

Office of the Secretary General.

To the Consul General of the United States of America,

Habana.

Sir:-

His Excellency the Captain General in a communication dated yesterday,says H.E.the Governor General ,as follows:-

"Excellency:- Under this date and in accord with what "is proposed by my Judge Advocate,I inhibit my jurisdiction in the cognizance of the cause against LUIS LAY PINARD "for aid to the rebellion,in favor of the Court of In- "struction of Guanabacoa,to which Judge I shall transmit "it as soon as the corresponding copy of certain parts "is made;which I have the honor to inform you,for your "knowledge and as the result of your communication dated "the 26th.November last."

By order of H.E.I have the honor to transcribe same to you,for your knowledge,and with reference to your communication upon the subject.

God guard you many years. Habana,Dec.23.1896.

(signed) El Marqués de Palmerola

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TELEGRAM RECEIVED.

Partly in Cipher

Enclosure Dec. 28/96

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RECD.
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DEPT. OF STATE

From Havana.

Dec. 24, 1896

Received 12.40 P.M.

Assistant Secretary of State.
Washington D.C.

Secretary of State
DEC 1896

Henry J. Delgado native born Citizen taken prisoner about fifteenth in hospital here in Comunicado[x] (?) has been claimed by me under the Treaty.

Springer

(Deciphered Dec. 24 1896. 1.10 P.M.)

x i.e. not allowed to Communicate with any one.

Copied for C

ASSISTANT SECRETARY
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HABANA, December 24th, 1896.

Mr. ~~DEE~~ SPRINGER

TO THE

DEPARTMENT of STATE.

Trial of JULIO SANGUILY.

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One enclosure.

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No. 2 7 1.

U. S. CONSULATE GENERAL.

HABANA, December 24th, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:-

With reference to my despatch No.261 of the 16th instant, respecting the public hearing before Part First of the Criminal Court of the Audiencia, or Superior Court, of Habana, of the case against JULIO SANGUILY, an American citizen, charged with rebellion, I have now the honor to confirm the following telegram :- HABANA, December 23rd, 1896.

"Assistant Secretary of State.

" Washington. D. C.

" Trial SANGUILY commenced Monday, finished to-day.

"Sentence within three days. (Signed) SPRINGER.

On account of the peculiar antecedents of SANGUILY'S case, too well known to the Department to require repetition, I attended the trial as a spectator, and found the proceedings of sufficient interest to warrant me in the belief that a report of same, condensed from the published accounts, and as coming under my own observation, may prove of interest to the Department.

The Court convened Monday last at one o'clock, and before commencing the examination of the evidence, the counsel for the defense, Don ANTONIO MESA y DOMINGUEZ, presented a petition to declare the nullity of all the proceedings, as having been prosecuted in violation of the Protocol of January 12, 1877, which provides that American citizens shall be subject to trial for the crimes therein mentioned, only by the ordinary jurisdiction, except in the case of being captured with arms in hand, and that the proceedings in said cause had been pro-

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U. S. CONSULATE GENERAL.

HABANA,

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secuted by the Law of Criminal Procedure which came into force January 1st,1889, instead of the Law mentioned in Art 4th of the protocol,and which applied to the present case, set forth in articles 20 to 31,of April 17th,1821, which requiredtrial before six judges,instead of five,then present,and for other reasons set forth.

Court took a recess to deliberate upon this point. Upon meeting again,the petition was overruled; defense noted a protest.

Trial continued by reading the findings of the prosecution,which demanded the penalty of chains for life,with costs,and of the defense,which demanded the absolution of the accused,for lack of proof of his participation in the crime charged,or,in case of being declared guilty,that he be considered as within the decree of pardon of Governor General CALLEJA,of 27th of February,1895.

The accused was examined and declared his innocence of the present charges against him,but admitted having participated in the insurrection of 1868/78. He denied having written certain letters attached to the proceedings and exhibited to him.

Reading of the documentary evidence was waived by both parties.

Three experts then made an examination of the letters referred to and several fragments of a document purporting to be an appointment of colonel made by SANGUILY to a certain AZCUY. The experts after a close and even ridiculous examination decided that they were all in SANGUILY'S handwriting,but declared that they could not supply the words wanting in the last mentioned document to give it the intended

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HABANA,

meaning. These are the letters upon which the prosecution principally rests its charges against SANGUILY as guilty of conspiracy and rebellion.

After another short recess, the President of the Court, in examination of the accused asked him if the letter dated February 14th was written by him, which he denied, and there appearing to be a contradiction, as in a previous examination he had identified the letter as his, the experts were re-called to examine this letter also, which they declared to have been written by SANGUILY.

The officers who arrested SANGUILY and AZCUY, were next interrogated. Upon his arrest, AZCUY endeavored to chew up a document found concealed in his cravat, which it was claimed was the appointment of colonel made out to him and signed by SANGUILY. Both officers testified that there had not been previous to his arrest, any orders to watch SANGUILY.

The negro woman who had care of SANGUILY'S room at the estate "PORTELA", was then examined. It was here that the incriminating letter alleged to have been written by SANGUILY, is said to have been found upon the sale of some old furniture taken from the room he frequently occupied.

ASCUY'S examination which followed, was to get him to acknowledge where he obtained the document he concealed in his cravat.

Upon calling for the witness ANTONIO LOPEZ COLOMA, who was executed a few days ago, a laugh was raised, which the President promptly stopped. The former declaration of this witness was then read and the defense noted a protest against this proceeding.

Court adjourned.

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Upon beginning the session of the second day, the Fiscal, or prosecuting officer, moved to declare the nullity of the expert testimony of the previous session, on the ground that as the appointment of new experts in place of two that died, had not been communicated to the defense in time to permit a challenge within three days as required by law, this want of form might affect the validity of said testimony. The defense declared that it had had ample notice of the appointment of experts, and accepted their report, and waived making any objection, but as the prosecution insisted on this point, the Court took a recess to deliberate. Upon again resuming, it declared the expert testimony valid. The prosecution however, made a protest against this ruling.

The declaration of the pawn-broker where SANGUILY had pawned his machete and revolver was then read, this witness being to ill to attend.

The Fiscal then summed up against the accused, maintaining that he was one of the most active promoters of the present rebellion, initiated on February 24th, 1895, and the leader designated by the Revolutionary Junta of New York to head the movement; that as such he issued commissions, among them one of colonel to JOSE YNOCENCIO AZCUY, who was arrested and the document being found concealed in the knot of his cravat he endeavored to swallow it; that the fragments appear in the proceedings and have been declared by experts to be in the handwriting of the prisoner. The Fiscal laid special stress upon the testimony of the accused, who had stated when interrogated by the court, that he had not accepted the Convention of Zanjon of 1878, but had gone abroad, to the United States, whence he did not return until 1879, and then as a citizen of

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the United States, and bitterly censured him for his acts of renouncing his nationality, of accepting the citizenship of another country, even of such a country as the United States,--- and here the Fiscal took occasion to pronounce a decided eulogium of the United States,--- of that friendly and powerful nation that feels bound in dignity to protect its adopted citizens, who had privileges here, that even those who had not ceased to be Spanisrds did not enjoy, and of again returning to the land of his birthplace, of his forefathers, and of his wife and son, to resume his residence, and forgetful of the duties imposed on him as a foreign citizen to remain neutral, to conspire to head a revolutionary movement, issuing commissions and executing preparatory acts of rebellion, such as recruiting men and acquiring arms and ammunition. That in his opinion the proofs were positive and that he therefore demanded the penalty of chains for life.

Counsel for the defense then commenced his argument, but on account of the late hour, the court adjourned.

The session of the third and last day of the trial was taken up in listening to the plea of the defense.

In this the counsel declared that the trustworthy private advices of Governor General CALLEJA, who stated that JULIO SANGUILY and JOSÉ MARIA AGUIRRE were the principal promoters of an armed rebellion, had not been proven in the trial. General CALLEJA had stated that SANGUILY and AGUIRRE had been designated to put themselves at the head of the insurrection in the provinces of Habana, Matanzas and Santa Clara; that they had direct relations with the revolutionary committees abroad, and were delegates of the Cuban Junta of New York; that they recruited men, and acquired arms and ammunition to make war

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against the Mother country and this was confirmed by their conduct closely watched by the police; that neither the statement of the chief of police of that date, nor that of his subordinate officers have confirmed that allegation that SANGUILY was under police surveillance; that they have declared they never received any orders to that effect, and had no further antecedents against JULIO SANGUILY, than those of his participation in the last revolution.

That on the day the present insurrection broke out, SANGUILY, AGUIRRE, PEREZ TRUJILLO, and GOMEZ de la MAZA were arrested. All of them with the exception of SANGUILY, were released after a few days.

The private advices of General CALLEJA, whose existence in the offices of the General Government and of the Captaincy General had been denied by General MARTINEZ CAMPOS, in two official communications which appear in the proceedings, this secret information served as the only basis for the arrest of SANGUILY, PEREZ TRUJILLO, AGUIRRE and GOMEZ de la MAZA, and ought not to have any influence in this process, because the facts have not been proved, and with respect to the others named, have had no effect whatever.

Where appear the relations that SANGUILY is said to have had with the insurgents, and especially those of Matanzas, and where appears the acquisition by SANGUILY of the war material referred to by the prosecution ?-and the defense refers to a communication from the Governor of Matanzas to the effect that the existence of any such committee in Matanzas had not been proved; and that in the proceedings against JUAN GUALBERTO GOMEZ and others, for the acquisition of munitions of war, there appeared no charge against SANGUILY.

Moreover, the statement of LOPEZ COLOMA, after all is not

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altogether against SANGUILY, for that which he made before the military jurisdiction relating the manner of his capture, contained nothing positive against SANGUILY; however, he was obliged to declare that COLOMA'S testimony read before the court was null, and void, for he had been executed, and said nullity was founded on strict principles of the Law of Criminal Procedure.

That with respect to the expert testimony, although the experts were disposed to declare all the letters to be in the handwriting of SANGUILY, yet they did not confirm anything in respect to the principal point of the colonel's commission seized upon AZCUY, and were unable to supply the words missing therein to give it sense. And even if SANGUILY had issued said commission, there had been no proof presented that he was authorized, nor any proof whatever by the police, or the Government that SANGUILY had been designated as a leader of the rebellion; and further, that upon this point JUAN GUALBERTO GOMEZ had declared that he was the only delegate of the Junta, and no leader had been designated for the movement.

The counsel of the defense concluded by declaring that against SANGUILY, there were only his antecedents as a leader in the last insurrection, hypotheses, presumptions, suspicions, which when taken into account that it was a question of a serious penalty, should have no weight upon the mind of the Court. He therefore demanded the acquittal of his client, and finished his plea with thanks and grateful compliments to the Fiscal and judges for their patient hearing.

Upon being asked if he had aught to say, SANGUILY said "Not a word, absolutely".

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U. S. CONSULATE GENERAL.

HABANA,

The trial was declared to be over, and the court rose.

Sentence may be delayed five days.

I am, Sir,

Your obedient servant,

Joseph D. Springer

Vice Consul General.

Enclosure.

Printed account of SANGUILY'S trial.

Enclosure

With Despatch No/ 271.

HABANA, December 24th, 1896.

DIARIO DE LA MARINA.—Diciembre 22 de 1896

LA CAUSA DE SANGUILY

Juicio oral

(PRIMERA SESIÓN.)

Ayer comenzaron nuevamente en la Sección Primera de la Sala de lo Criminal de esta Audiencia, las sesiones del juicio oral y público de la causa seguida en el Juzgado de Instrucción del distrito del Cerro contra don Julio Sanguily y Garit, por delito de rebelión, cuya causa, como recordarán nuestros lectores, fué vista y fallada, siendo casada y anulada por el Tribunal Supremo de Justicia.

El Tribunal

Componían el Tribunal los señores: Presidente, don Ricardo Maya (Ponente) y Magistrados, don Juan Valdés Pagés, don Adolfo Astudillo de Guzmán, don Manuel Vías Ochoteco y don José Novo y García.

Asistió á dicho acto el Iltmo. Sr. Fiscal de S. M., don Joaquín Vidal y Gómez, llevando la defensa del procesado el Ldo. don Antonio Mesa y Domínguez y en representación el Procurador don Luis P. Valdés, y actuando de Secretario el Ldo. don José Lorenzo Odoardo.

Se abre la sesión

Abierta la sesión por el señor Presidente, un público numerosísimo invadió el local ocupado por la Sala, tomando asiento en los estrados del Tribunal Magistrados, Abogados, Fiscales, Letrados y Procuradores.

Incidente Previo

El defensor, antes de que se procediese á la práctica de las pruebas presentó un escrito á la Sala promoviendo un incidente previo para que se declarara nulo todo lo actuado, por entender que la causa se ha sustanciado con infracción de lo preceptuado en el Protocolo de la Conferencia celebrada en Madrid el día 12 de enero de 1877 entre el Excelentísimo señor don Fernando Calderón Collantes, Ministro de S. M. el Rey de España, y el Honorable Mr. Caleb Cushing Ministro Plenipotenciario de los Estados Unidos de América.

Se funda la defensa en que, según se concertó por dicho Protocolo, ningún ciudadano de los Estados Unidos residente en España podrá ser sometido á ningún tribunal excepcional, sino exclusivamente á la jurisdicción ordinaria, fuera del caso de ser cogido con las armas en la mano, estipulándose por el artículo 4º que el procedimiento á que debían someterse los procesados por los delitos á que el Protocolo se contrae y en los casos á que el mismo se refiere fuera el establecido en los artículos 20 al 31 de la Ley de 7 de abril de 1821, y el procedimiento á que se ha ajustado la tramitación de la presente causa, es el señalado en la vigente Ley de Enjuiciamiento Criminal que empezó á regir entre nosotros en 1º de enero de 1889.

El señor Fiscal

Dada lectura por el Secretario al precedente escrito, el señor Presidente concedió la palabra al señor Fiscal, quien se opuso á la pretensión de la defensa.

Suspensión del acto

El señor Maya suspendió el acto por breves momentos para que deliberase la Sala.

Acuerdo del Tribunal

Reanudada la sesión, el Tribunal acordó rechazar la pretensión de nulidad, porque el artículo 4º del Protocolo hace solo referencia á los procedimientos que deberían seguirse si fuese aplicable la Ley de 17 de abril de 1821, y porque además de cumplirse en el juicio oral todas las prescripciones favorables al procesado respecto del conocimiento que debe tener la acusación y de la forma de examinar á testigos y peritos, la actual organización y las atribuciones de los Tribunales no permitirían someter al procesado á jueces que no tienen hoy las facultades que la mencionada Ley les atribuía: y á mayor abundamiento, el recurso de nulidad de todo el procedimiento que envuelve la incompetencia del Tribunal, debió proponerse dentro de los tres días siguientes á la entrega de la causa al procesado para formular conclusiones.

Protesta de la defensa.

El Ldo. Mesa y Domínguez, enterado de la resolución de la Sala, pidió que se consignara en acta su protesta, á los efectos del recurso de casación, á lo que se accedió, disponiéndose la continuación del juicio.

Conclusiones provisionales

El Secretario, cumpliendo lo mandado, dió lectura á los escritos de conclusiones del señor Fiscal y de la Defensa, en los cuales el primero pide pena de *cadena perpétua*, con las accesorias correspondientes y el pago de las costas; y el segundo la absolución de su defendido, por falta de pruebas de su participación en el delito, ó que se le declare comprendido, caso de considerársele culpable, en el Bando del Excmo. Sr. Gobernador General don Emilio Calleja de 27 de febrero de 1895.

El Procesado.

Interrogado el señor Sanguily por el señor Fiscal, negó su participación en los hechos que han dado origen á la formación de esta causa, y si haber tomado parte en la insurrección de 1868.

Puestole de manifiesto una carta fechada en el Cerro el día 9 del expresado mes de febrero de 1895, dirigida al "Sr. Betancourt, Matanzas," en la que entre otras cosas se dice "yo en vísperas de ponerme al frente de una obra de redención" y firma "Gener," negó fuera de su puño y letra.

Prueba documental

Renunciada por las partes la lectura de la prueba documental, la Sala ofreció apreciarla en su oportunidad, reservándose el derecho de referirse á ella en sus informes.

Los Peritos

Los peritos don Félix García Marrón, don Víctor Songel Llobregat y don Luis Bioseca, á quienes se les puso de manifiesto una carta que obra en el proceso dirigida á un amigo con fecha 14 de febrero de 1895 por J. Sanguily, que hace mención de un deportado Michelena, otra de 8 de diciembre de 1893, suscrita con las iniciales F. F. S. que trata de los asuntos que se relacionan "con el próximo movimiento" y dice "la cosa parece que será pronto", hablando también de las atenciones de la revolución; y unos fragmentos de carta, que se dicen ser un nombramiento de coronel insurrecto, expedido por el señor Sanguily á favor de don José Inocencio Azcuy, á quien se le ocupó, manifestaron que todas esas cartas aparecen escritas por una misma mano y guardan analogía en las letras, que admiten comparación con las formas indubitadas de don Julio Sanguily y Garit.

Preguntados por el señor Fiscal si creían posible llenar los huecos de la carta últimamente expresada con las palabras mismas que en él faltan, reconstruyendo su verdadero sentido, contestaron negativamente.

Descansa el tribunal

Terminado el examen de los peritos, se suspendió la sesión para descansar el tribunal.

Continúa la sesión

Reanudada la sesión á los breves instantes, el señor presidente inquirió del procesado si la carta de 14 de febrero de 1895 era escrita por él, á lo que contestó negativamente.

Contradicción de Sanguily

El señor presidente ordenó que el secretario diese lectura á la penúltima respuesta de la declaración del procesado prestada ante el juez, y en la que reconoció como suya dicha carta. Sanguily trató de explicar la contradicción diciendo que no debío ser suya, porque la que él había escrito, la había entregado á un caballero, por lo cual cree que no es la misma.

Vuelven los peritos

Hechos comparecer nuevamente los peritos, se les hizo reconocer esta carta y compararla con la de fecha 9 de febrero de 1895. Después de un minucioso examen dijeron los peritos que eran escritas por una misma mano.

Los testigos

Seguidamente comparecieron los testigos don José Pagliari, don José Trujillo y Monagas, morena Caridad Manzano y don José Inocencio Azcuy, los que fueron interrogados por las partes prestando igual declaración que la que hicieron en las anteriores sesiones.

El testigo don Ramón Sánchez Alvarez no asistió, presentando certificación médica de estar enfermo. La Sala, conceptuando necesaria su declaración, dispuso fuese reconocido ayer mismo por dos facultativos forenses, y que hoy volviera á serlo y caso de que esté en disposición de salir á la calle se le conduzca por la policía, al Tribunal.

Otra Protesta

Llamado el testigo Antonio López Coloma, se informó á la Sala que había sido ejecutado, disponiéndose que se diese lectura á las declaraciones por él prestadas en el sumario, á lo cual se opuso la defensa, consignándose en el acta su protesta.

Suspensión de los debates

En este estado, y por lo avanzado de la hora, se suspendieron los debates para continuarlos hoy.

LA CAUSA DE SANGUILY

JUICIO ORAL

SEGUNDA SESION

Ayer continuaron en la sección primera de la Sala de lo Criminal de esta Audiencia las sesiones del juicio oral y público de la causa instruida en el Juzgado del Cerro contra don Julio Sanguily y Garit, por el delito de rebelión.

INCIDENTE PREVIO

Abierta la sesión por el Presidente del Tribunal, señor Maya, el señor Fiscal pidió la palabra, y habiéndole sido concedida, presentó un escrito promoviendo un incidente de previo y especial pronunciamiento, para que se declarase la nulidad de la prueba pericial practicada en la sesión anterior. Fúndase el señor Fiscal, en que habiendo sido designados recientemente los peritos señores García Marrón y Songel Llobregat por haber fallecido dos de los que en la primera época de esta causa fueron nombrados, se ha verificado el informe pericial caligráfico sin espirar el término concedido por el artículo 662 de la Ley de Enjuicimiento Criminal, que dá facultades á la defensa para recusarlos si lo conceptúa necesario.

EL DEFENSOR

Concedida la palabra al Letrado defensor de Sanguily, manifestó que estimaba válido el acto de prueba pericial á que se refería el señor Fiscal, que conoció oportunamente el nombramiento de peritos hecho con arreglo al ar-

tículo 461 de la Ley de Enjuiciamiento Criminal; que fundando la defensa la nulidad en las causales expuestas en la sesión anterior y no en otra alguna, y no teniendo recusación que establecer, aceptaba la diligencia y se oponía á la cuestión previa propuesta.

EL PRESIDENTE

El Sr. Maya, sin embargo de lo manifestado por la defensa, exigió á esta que expusiese terminantemente si aceptaba la validez de aquel acto. Habiendo contesta el letrado defensor afirmativamente, el Sr. Presidente dirigió igual pregunta al procesado, quien después de haberse consultado con el Licenciado Mesa, contestó en los mismos términos afirmativos.

Entonces el señor Maya preguntó al señor Fiscal si con las respuestas dadas estimaba innecesario que la Sala hiciese pronunciamiento sobre ese extremo, y habiendo expresado que á pesar de lo dicho, deseaba que la Sala resolviera, se suspendió la sesión por algunos minutos y el Tribunal se retiró para deliberar.

AUTO DE LA SALA

Reanudada la sesión, el señor Presidente dispuso que se diera lectura al auto pronunciado por el Tribunal declarando no haber lugar á la nulidad de la prueba pericial realizada en la sesión de referencia y mandando continuar el juicio.

PROTESTA

El señor Fiscal manifestó que, no obstante su acatamiento á las resoluciones del Tribunal, pedía que se consignase en acta su protesta para utilizarla en su día si lo estimase necesario. Así se hizo.

EL TESTIGO ALVAREZ

En seguida se ordenó la continuación de la prueba testifical, dando cuenta el secretario señor Odoardo que de las diligencias mandadas practicar en la sesión anterior para lograr la comparecencia del testigo don Ramón Sánchez Alvarez, aparece que según certificación facultativa su estado de enfermedad lo impedía asistir al Tribunal.

Oído al señor Fiscal y á la defensa sobre el modo que debía adoptarse para recibir esa declaración, quedó acordado que se diese lectura á la que prestó en el sumario.

De dicha declaración prestada en 20 de julio del año próximo pasado ante el Juez de Instrucción aparece que hacía como ocho meses Sanguily había empeñado en la casa de préstamos "La Equitativa", sita en la calle de Compostela, esquina á Luz, y de la cual es gerente el testigo Alvarez, un machete y un revólver.

Con la lectura de esta declaración terminó la práctica de las pruebas, concediéndose la palabra á

EL FISCAL

El señor Vidal y Gómez pronunció una de esas oraciones forenses, que siempre quedan impresas en la memoria de cuantos tuvieron oportunidad de escucharla.

Con palabra fácil y dicción clara sostuvo que don Julio Sanguily y Garit, nacido en esta isla y ciudadano americano desde el año 1880, ha sido uno de los más activos promovedores de la inicua insurrección levantada en armas contra la Madre Patria en 24 de febrero de 1895, y que era el caudillo designado por la Junta Revolucionaria residente en Nueva York para ponerse al frente del movimiento de las provincias de la Habana, Matanzas y Santa Clara.

Agregó, que como delegado de dicha junta y jefe del movimiento que se tramaba, expidió los nombramientos que estimó conducentes á sus fines, entre ellos el de coronel del ejército insurrecto á favor de don José Inocencio Azcuy, nombramiento que traía éste en el nudo de la corbata, y que al ser detenido, trató de tragárselo.

En autos—dijo el señor Fiscal—constan los fragmentos ocupados, la letra de ese documento es del enjuiciado, los peritos han dicho que admiten comparación con las formas indubitadas de Sanguily.

Examinando las pruebas, dijo, que la participación del procesado en los hechos que han dado origen al procedimiento es indudable, y que esos hechos caen dentro de la sanción penal que establece nuestro Código.

No cree que prosperará la nulidad pretendida por la defensa y rechazada por la Sala, y después de varias citas y textos terminó su informe en brillantes párrafos pidiendo para Sanguily, como autor del delito de rebelión, sin la concurrencia de circunstancias modificativas que apreciar, la pena de *cadena perpetua* con las accesorias correspondientes y pago de las costas

LA DEFENSA

El Lcdo. Mesa y Domínguez sostiene como definitivas sus conclusiones provisionales, en las que pide la absolución de su defendido.

De su informe, que continuará hoy, por haberse suspendido ayer por lo avanzado de la hora, daremos cuenta en nuestra próxima edición.

LA CAUSA DE SANGUILY

JUICIO ORAL

TERCERA SESION

Ayer terminaron en la Sección Primera de la Sala de lo Criminal de esta Audiencia, los debates del juicio oral.

El Licenciado Mesa y Domínguez, letrado defensor del procesado, continuó en el uso de la palabra, sosteniendo como ya digimos ayer, con el carácter de definitivas sus conclusiones provisionales.

Espera la defensa que la Sala con el espíritu de justicia que le distingue, dictará una sentencia favorable, toda vez que no está probada la culpabilidad de su defendido.

Niega que éste haya tomado parte en el movimiento insurreccional iniciado en 24 de febrero de 1895, y que fuera uno de los instigadores y promove-

dores del mismo.

Cree que no hay pruebas suficientes para considerar responsable del delito de rebelión al procesado, y rebate los cargos en que fundó su acusación el señor fiscal.

Estima que no se puede atribuir á Sanguily la carta que figura en el proceso, firmada por un tal "Gener", en la cual se consignan las palabras de "yo en vísperas de ponerme al frente de una obra de redención", después de la negativa absoluta de su defendido.

Trató extensamente de la nulidad pretendida al comenzar las sesiones del juicio oral, y terminó su informe pidiendo la absolución de don Julio Sanguily.

Seguidamente el Presidente señor Maya, interrogó al procesado por si tenía algo que manifestar al Tribunal, y habiendo contestado negativamente se declaró el juicio concluso para sentencia.

No. 272.

U. S. CONSULATE GENERAL.

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DEPT. OF STATE

HABANA, December 26.1896.

Mr. ~~KEE~~ SPRINGER.

File

TO THE

DEPARTMENT of STATE.

Acknowledging the receipt of Instructions and Circulars.

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No. 272.

U. S. CONSULATE GENERAL.

HABANA, December 26.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honor to acknowledge the receipt of the Department's instructions from No.174,November 25,to No. 188,December 21,1896,both numbers inclusive; also of two Circulars dated respectively November 7 and 11.

I am,Sir,

Your obedient servant,

Vice Consul General.

Havana,

Dec. 28. 1896.

copies for Senate Feb 8.

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Form No. 3.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT. President and General Manager.

ASSISTANT SECRETARY DEC 29 1896 DEPARTMENT OF STATE

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FIVE ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLE.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

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All Offices (21,000) of the Western Union Telegraph Company and its Connections.

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BRISTOL: Backhall Chambers.

NUMBER	SENT BY	REC'D BY	No. OF WORDS.	FROM
A27 INY	Qe	T	Dec 28--20	Havana U.S.Gov't

RECEIVED at DEC 29 1896 Secretary of State Dec.28-1896 5:55 P.M. 1897

Dec.28 Assistant Secretary of State

Washington D.C.

Gaspar A Betancourt American citizen arrested and incomunicado Charges unknown.

Lee

Cable. Part. Confirm tell him Cable stopping at Key West

Habana,

Dec. 28. 1896.

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DEC 30 1896
DEPT. OF STATE

Continued Jan. 2/97

Form No. 3.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

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THOS. T. ECKERT. President and General Manager.

ASSISTANT SECRETARY
DEC 29 1896
DEPT. OF STATE

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BRISTOL: Backhall Chambers.

NUMBER	SENT BY	REC'D BY	No. OF WORDS.	FROM
82 C	dq	Rh	17 Us Govt	Havana

RECEIVED at Washn Dec 28 189 6

Assistant Secy State Washn DC

Sanguily Sentenced Life imprisonment

Appeal will be taken

DEC 1896
Secretary of State

Lee

DEC 29 1896
Secretary of State

Dom. Corr.

No. 273.

U. S. CONSULATE GENERAL.

CONSULAR BUREAU. NOTED.

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HABANA, December 28th, 1896.

Mr. LEE

TO THE

DEPARTMENT of STATE.

Reporting return from leave of absence with visit to the United States, and of having resumed charge of office.

No. 273.

U. S. CONSULATE GENERAL.

HABANA, December 28th, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:-

I have the honor to inform the Department that I returned day before yesterday, the 26th instant, from my visit to the United States under leave of absence, and have resumed charge of this office since the day of the following date, the 27th December.

I have also to state that I sailed from Habana on the 1st of November, arrived in New York on the 5th November, and left New York to return via Tampa, on the 19th instant at midnight, and arrived in Habana the morning of the 26th instant.

I am, Sir,

Your obedient servant,

Fitzhugh Lee

Consul General.

ASSISTANT SECRETARY
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No. 274.

U. S. CONSULATE GENERAL.

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File

Mr. LEE

TO THE

File

DEPARTMENT of STATE.

Case Of RAMON CRUCET.

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One Enclosure.

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No. 274.

U. S. CONSULATE GENERAL.

HABANA, December 30.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

With reference to the case of RAMON CRUCET,reported by Mr.SPRINGER in despatches Nos.207 and 209,of the 7th. and 12th.November,I have the honor to inform the Department that Mr.CRUCET was released on the 18th.December. He was furnished with a copy of the certificate given in his case,in which it is stated that no grounds existed for the charges made against him.

Mr.CRUCET states that his arrest was but a pretext made by business rivals to prejudice certain interests he had by getting him out of the way for a while.

I am,Sir,

Your obedient servant,

Consul General.

Enclosure:-

Translation of Certificate above referred to.

ALG LANEN

Enclosure

With Despatch No. 274

H A B A N A , December 30th,1896.

Translation.

I,Don JULIO PAJARES y ESPINO,Clerk of the cause No. 5241,against the civilian RAMON CRUCET y RADILLO,for censuring the acts of the Government of Spain,of which the 2nd Lieut: of the Guardia Civil,Don ANTONIO PALOMIQUE TEJERO is the Judge Instructor, DO HEREBY CERTIFY :-

Decree of the Captain General) That on page 27 of said case,is a decree of H.E.the Captain General,which is literally as follows:- "Section Fifth: HABANA,November 22,1896.

"Transmit for the opinion of the Judge Advocate General.

"(Signed) AHUMADA, 2nd Cabo,Acting Captain General.

"A scroll. Seal of the Captaincy General of the Island "of Cuba.

Opinion of the Judge Advocate General. In the same form and on the page mentioned the Judge Advocate General,as follows:-

"Excellency: This case is instituted by reason of a de- "nunciation made by the residents of Colon,Don FELIAS "ROSA and DOn BENITO FLORES,against Don RAMON CRUCET, "real estate manager,of whom said witnesses declared "that being at the railroad station of said town,called "Cardenas,in the month of September last,he had a dis- "pute with the aforesaid two witnesses,and made use of "expressions of censure for the General Government of "this Island,with reference to the deportation of two "residents of Habana,who in the opinion of said CRUCET, "were good men of correct conduct. The statements of "the saidnwitnesses having been taken down by the Judge "Instructor,no other person was called who could testify "to having been present at the time,although the wit- "nesses declared that other persons were present who "they do not remember. On his part,Mr CRUCET denies

"they do not recollect. On his part,Mr.CRUCET denies "that he made use of any such expressions of censure "against the authorities,and maintained that he had only "spoken of such news as was contained in a Habana news- "paper. The phrases referred to by the witnesses "FLORES and ROSA,even if they could be considered as "exact,reveal only indiscretion on the part of the per- "son who pronounced them,and would not be constructive "of an offense,because even in the form that both wit- "nesses relate them,they contain no insult nor intention "of contempt. From all which it is believed that there "exists no matter of an offense to be proceeded against "judicially,and that therefore this case may be ordered "closed,and filed away; returning it to the Judge In- "structor for the usual statistical notes. Respectfully "submitted. HABANA,December 7th,1896. Seal of the Office "of the Judge Advocate General of the Army of the Cap- "taincy General of Cuba. ?:-

Decree No.11,690

Decree of H.E. the Captain General.) In the same form and on page 22 of said case,there is a decree passed upon,(auditoriado) from H.E.the Captain General of the District,as follows:-

"Section Fifth: Habana December 13,1896. In accord "with the foregoing opinion,I hereby close this case. "In compliance thereof, and for statistical purposes, "return it to the Judge Instructor through the Military "Commandant of Colon,and take his receipt therefor. "(Signed) AHUMADA. General 2nd Cabo,Acting Captain Genel. "Scrool. Seal of the Captaincy General of the Island "of Cuba. Chief of Staff.---

In witness whereofand in accordance with Art.379 2nd Part of

the Code of Lilitary Justice,and upon the petition of the party concerned,I issue this copy,which I certify to be a faithful copy of the original on file in Cause No.5241, at COLON, this 16th December,1896.

(Signed) JULIO PAJARES.

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ASSISTANT SECRETARY
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U. S. CONSULATE GENERAL.

HABANA, December 30.1896.

Mr. LEE

TO THE

DEPARTMENT of STATE.

CASE OF JULIO SANGUILY.

Confirming telegram.

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No. 275.

U. S. CONSULATE GENERAL.

HABANA, December 30.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

With reference to the trial of JULIO SANGUILY, reported by Mr.SPRINGER in despatch No.271, of the 24th.instant, I have to confirm my telegram of the 28th.instant, as follows:-

"Assistant Secretary of State, Washington.

"Sanguily sentenced life imprisonment. Appeal will "be taken."

(signed) Lee.

I am, Sir,

Your obedient servant,

Consul General.

copy for Senate. 2/8/97.

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No. 276.

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HABANA, December 30.1896.

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Mr. LEE

TO THE

DEPARTMENT of STATE.

Confirming telegram. Case of Gaspar A. Betancourt.

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No. 276.

U. S. CONSULATE GENERAL.

HABANA, December 30.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honor to confirm my telegram to the Department of the 28th.instant,as follows:-

"Assistant Secretary of State,Washington.

"Gaspar A. Betancourt,American citizen,arrested and "'incomunicado'. Charges unknown. (Signed) Lee." Sent

Under the same date I asked the Acting Governor General to give me the reasons for the arrest of Mr.Betancourt.

I am,Sir,

Your obedient servant,

Fitzhugh Lee

Consul General.

ASSISTANT SECRETARY
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U. S. CONSULATE GENERAL.

HABANA, December 30.1896.

Mr. LEE

TO THE

DEPARTMENT of STATE.

File

File

Confirming telegrams.

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No. 277.

U. S. CONSULATE GENERAL.

HABANA, December 30.1896.

Honorable William W. Rockhill,

Assistant Secretary of State,

Washington.

Sir:-

With reference to the case of HARRY J. DELGADO, reported by Mr.SPRINGER in despatch No.267, of the 24th.instant, I have the honor to acknowledge the receipt of the following cypher telegram:-

"Washington, December 24.1896.
"Lee, Consul General, Habana.
"Harry Delgado, represented to be correspondent New York
"Mail and Express, is said to have been captured fifteenth
"instant at a hospital, insurgent camp Pinar del Rio.
"He is claimed to be American citizen with passport, to
"have been a non-combatant, to have letters showing his
"character as correspondent introducing him to Maceo
"and to some Spanish General. He is said to have been
"taken to Habana and to be imprisoned there. Investigate
"at once. Do all you properly can for him and report at
"once. (Signed) Olney.

Also the telegram of the same date as above, reading:-

"Washington, December 24.1896.
"American Consul Habana.
"Follow strictly instruction seventy eight.
"(signed) Rockhill".

I am, Sir,

Your obedient servant,

Fitzhugh Lee

Consul General.

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No. ~~2~~ 7 8.

U. S. CONSULATE GENERAL.

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HABANA, December 31st, 1896.

ASSISTANT SECRETARY
JAN 6 1897
DEPARTMENT OF STATE.

Mr. LEE

TO THE

DEPARTMENT of STATE.

Acknowledging telegram, and transmitting list of citizens arrested in Cuba since December 24th, 1895.

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One enclosure.

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No. 278.

U. S. CONSULATE GENERAL.

HABANA, December 31st, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

I have the honor to acknowledge the receipt of your telegram dated 29th instant, reading:-

"LEE, Consul General. HABANA.

"Referring to No.2853 from WILLIAMS, make complete "list to date, state whether prisoner native or natur- "alized, cause of arrest, place of confinement, disposi- "tion of case, also those pending. Urgent. (Signed)

ROCKHILL.

I have therefore to transmit a detailed list, so far as I can find in the correspondence of this office, of the American citizens, native or naturalized, arrested by orders of the Spanish authorities, from December (February?) 24th, 1895 to date.

I am, Sir,

Your obedient servant,

Consul General.

Enclosure:

List of citizens arrested since Decr (Feby.?) 24th, 1895 to date.

Enclosure with Despatch No. 278 HABANA, December 31st, 1896

LIST of American citizens, native and naturalized, arrested and imprisoned in Cuba since February 24th, 1895, to date; stating also cause of arrest, charges, place of confinement, whether tried, released, deported, or cases pending.

1. JULIO SANGUILY : - 49 years.

Native of Cuba; naturalized 1878; arrested February 24, 1895. Charge: rebellion; tried Nov. 28, 1895; found guilty and sentenced to life imprisonment; case appealed to Supreme Court, Madrid.

Was also tried on charge of participation in the kidnapping of the sugar planter Fernandez de Castro, in 1894, by the late bandit Manuel Garcia, and acquitted.

Tried for the second time December 21st, 1896, for rebellion on the case remanded from Spain, and again sentenced Dec. 28th to life imprisonment; an appeal will be taken.

Has been imprisoned in the Cabañas fort.

2. JOSE MARIA TIMOTEO AGUIRRE : - 52 years.

Native of Cuba; naturalized 1881, arrested February 24th, 1895, confined in Cabaña fort. Charge: rebellion, acquitted and deported, Sept. 6, 1895, went to the United States.

3. FRANCISCO CARRILLO : - 45 years.

Native of Cuba; naturalized 1891, arrested at Remedios on February 24, 1895, upon a gubernative order, no charges ever having

been preferred. Confined in Cabañas fort,released and deported to United States,May 29,1895.

4. JUAN RODRIGUEZ VALDES : -

Native of Cuba; naturalized 1876,arrested at Puerto Principe,April 5,1895,released April 6.

5. JUSTO GENER : - 68 years.

Native of Cuba; naturalized. Arrested at Matanzas April 6th,released April 9,1895.

6. JOSE MARIA CARABALLO : - 42 years.

Native of Cuba; naturalized 1877,arrested at Matanzas,Apri April 6,1895,released April 9,1895.

7. MANUEL FUENTES : - 33 years.

Native of Cuba; naturalized 1883,arrested at Guantanamo April 30,1895,released May 4,1895.

8. MANUEL VARGAS :

Arrested at Remedios July 3,1895,released and expelled July 13,1895.

9. DOMINGO GONZALEZ ALFONSO : - 42 years.

Native of Cuba; naturalized 1876. Arrested at Quivican July 3,1895,expelled Sept.3,1895.

10. VICTORIANO BULIT PEREZ : - 33 years.

Native of Cuba,of American parents. Arrested at Sagua July 12,1895,released Nov.8,1895.

11. JOSEPH A.ANSLEY : - 56 years.

Born in Havana of american parents. Arrested Aug.26,1895, and deported Sept.21,1895,to the United States.

12. AURELIO ANSLEY : - 34 years.

Son of Joseph A.Ansley. Same as above.

13. LUIS ANSLEY : - 30 years.

Son of Joseph Ansley. Same as above.

14. JOHN A.SOWERS : - 65 years.

Native of Virginia. Sama as above.

15. CARLOS M.GARCIA RUIZ : - 28 years.

Born in the United States. Arrested Sept. 7,1895,released October 7,1895.

16. JOSE MARTINEZ GONZALEZ : - 45 years.

Native of Cuba; naturalized 1873. Arrested Sept.12,released Sept.19,1895.

17. MARIANO RODRIGUEZ ZAYAS :

Native of Cuba. Arrested Havana Sept.17,released Sept. 19,1895. Naturalized.

18. JOSE MARTINEZ MESA : - 41 years.

Native of Cuba; naturalized 1878. Arrested Sept.17,1895, released Sept.17.

19. EUGENE PELLETIER : - 42 years.

Native of Cuba; naturalized 1877. Arrested at Cienfuegos Dec.5,1895,charged with recruiting for the insurrection.

20. JOSEPH J.TRELLES :

Native of Cuba; naturalized. Arrested at Matanzas Dec. 24,1895,released Dec.26,1895.

21. MANUEL M.AMIEVA : - 39 years.

Native of Cuba; naturalized 1878. Arrested at Matanzas Dec 24,1895,released Dec.31,1895.

22. MARCOS E.RODRIGUEZ : - 57 years.

Native of Cuba; naturalized 1875. Arrested Jany.17,1896, on board Amer. S.S.Olivette. Charge: aiding the rebellion.

23. LOUIS SOMEILLAN SR. : - 58 years.

Born in Cuba; naturalized Key West,1878. Arrested Jan.17, 1896,released April 1,1896. Charge: aiding rebellion.

24. LOUIS SOMEILLAN JR. : - 36 years.

Born in Havana,son of above. Arrested Jany.17,released April 1,1896. Charge: aiding rebellion.

25. LADISLAO QUINTERO : -

Born in Key West. Arrested Feb.22,1896,at Guatao where he had been wounded by spanish troops,released April 11,1896.

26. WALTER GRANT DYGERT : - 25 years.

Born in United States. Arrested Feb.23,1896,imprisoned at Guines;supposed to be insurgent leader "El Inglesito",finally released and sent to U.S.April 24,1896.

27. REVEREND ALBERT J.DIAZ :

Native of Cuba; naturalized. Arrested at Havana April 16, 1896,charged with forwarding rebel correspondence;confined at Police Headquarters; expelled April 22,1896.

28. ALFRED DIAZ :

Brother of above. Arrested same charge. Both of the Diaz were released April 22,1896,on condition of leaving country, went to Key West.

29. JOSEPH L.CEPERO :

Native of Cuba,naturalized 1881. Arrested Feb.24,1896,on board steamer from Cienfuegos to Batabano,case now pending before civil court Santa Clara,confined in Santa Clara prison.

30. WILLIAM A.GLEAN :

Native of Cuba,of Amer.parents. Arrested at Sagua April 1896. Charge: rebellion. Military jurisdiction inhibited in favor of civil,July 28,1896. Released and returned to the United States.

31. LOUIS M.GLEAN:

Brother of the above. Same as above.

32. FRANK J.LARRIEU :

Native of Cuba; naturalized. Arrested at Cardenas May 15,1896. Case pending.

33. LOUIS SOMEILLAN : - 58 years.

Native of Cuba; naturalized. Arrested July 7,1896 for second time. Charge: aiding rebellion. Turned over to civil court,is confined in city prison; trial will be held Jany.8, 1897.

34. MANUEL FERNANDEZ CHAQUEILO : 19 years.

Native of Key West. Captured July 9,1896,was the companion

of Charles Govin. Is in Cabañas fort. Case pending,under military jurisdiction.

35. GEORGE W.AGUIRRE : 25 years.

Born in United States. Captured by a spanish gun-boat July 10,1896. Case pending before civil court of Jaruco. Confined in Cabañas fort.

36. SAMUEL T.TOLON : 45 years.

Native of Cuba; naturalized 1878. Arrested on board Amer. steamer Seneca,Sept.3,1896, incomunicado 22 days. Charged with being a delegate of the Cuban Junta;released and deported Sept.30,1896. Went to New York.

37. OSCAR CESPEDES : 20 years.

Native of Key West. Captured without arms in insurgent hospital near Zapata swamp,about Sept.5,1896,imprisoned at San Severino fort,Matanzas. Question of competency between military and civil jurisdiction,decided in favor of military. Case pending.

38. ALFREDO HERNANDEZ : 44 years.

Native of Matanzas; naturalized 1876. Arrested at his house at Havana,Sept.6,1896,suspicion of being concerned in the insurrection. Expelled Sept.23,1896: Went to Key West.

39. ANTONIO SUAREZ DEL VILLAR :

Native of Cuba; naturalized. Arrested at Cienfuegos, Sept.5,1896. Charged with purchase and concealing arms and ammunition. Case sent to civil jurisdiction,Dec.23,1896. In prison at Cienfuegos. Case pending.

40. JOSE CURBINO :

Native of Cuba; naturalized. Arrested at Rincon,Sept. 18,

1896. Surrendered to military authorities without arms. Release and is residing at Santiago de las Vegas.

41. JOSEPH AUSTIN MUÑOZ :

Native of New Orleans. Arrested at Matanzas Sept.18,1896, released Sept.19. Claimed that arrest was by mistake.

42. RAMON RODRIGUEZ :

Native of Cuba; naturalized. Arrested Sept.20th,1896, upon requisition from Governor of Matanzas,had been in insurrection,surrendered,and failed to report regularly,sent to Cardenas and released.

43. ESTEBAN VENERO : 22 years.

Native of Cuba; naturalized 1895. Arrested at Los Palos (Habana province) about Sept.22,1896. Charges not stated. On Dec.9 the Captain General asks if he is an American citizen. Case pending cognizance of military or civil jurisdiction.

44. ADOLFO TORRES :

Native of Cuba; naturalized. Arrested Oct.4 at Sagua. Charges not stated. Release ordered Nov.23,1896,question of competency not established.

45. ESTEBAN CESPEDES : (colored)

Born in Cuba; naturalized Key West 1891. Arrested Oct. 13,1896,charged with ñañiguismo (voodoo) expelled Nov.7 and went to Key West.

46. RAMON CRUCET : 48 years.

Born in Cuba; naturalized 1873. Arrested in Colon Nov.1, 1896. Charges: public censure of acts of spanish government.

Released Dec.18,1896,no grounds of complaint.

47. LOUIS LAY : 18 years.

Native of Cuba,of American parents. Arrested Nov.9,1896, during a raid upon a social club in Regla. Confined in Cabañas fort. Case ordered to be transferred to civil court at Guanabacoa,Dec.23. Charges: aiding rebellion.

48. JOSE GONZALEZ : 63 years.

Native of Bejucal (Cuba), naturali zed 1882. Arrested at Las Mangas Nov.10,1896,taken to prison at Pinar del Rio. Charges not yet made known to this Consulate .

49. THEODORE L.VIVES :

Native of Cienfuegos,naturali zed 1891. Arrested 19 Nov., 1896. Charges: first,disorderly conduct and then insults to Spain. Case pending cognisance of military or civil jurisdiction,is confined in jail.

50. HENRY J.DELGADO :

Native of the United States. Captured about Dec.10,1896, at an insurgent hospital in Pinar del Rio province,after having been ten weeks in a hut sick. Sent to Havana to Cabañas fort; removed to hospital Dec.28,1896,where he now is incomunicado and very ill. No reply yet received by this consultae regarding his case.

51. GASPAR A.BETANCOURT : 63 years.

Native of Cuba,naturalized 1877. Arrested Dec.26,1896,confined at police headquarters incomunicado . No charges yet made known to the Consulate.

52. FERNANDO PINO HERNANDEZ : 17 years (colored)

Native of Key West. Charged with ñañiguismo (voodoo).

Ordered to be expelled, Dec.30,1896. Will be sent to Key West.

53. AMADO PINO HERNANDEZ : 21 years.

Brother of the above. Same as above.

List of newspaper war correspondents who have been expelled from the Island.

WILLIAM MANNIX:

Native of United States. Exepelled February,1896.

SYLVESTER SCOVEL: "World".

Native U.S. Reported that he had arrived from insurgent lines,and it was intended to deport him in January.

CHARLES MICHELSON:

LORENZO BETANCOURT:

Correspondent and interpreter of "New York Journal". Arrested Feb.25. Confined in Morro Castle,released Feb. 27,1896.

ELBERT RAPPLEYE: MAIL & EXPRESS.

Expelled March 26,1896.

JAMES CREELMAN War correspondent "World".

Born in Canada. Expelled May 5,1896.

F.W.Lawrence: "Journal".

Born in the United States.Expelled May 5,1896.

WILLIAM G.GAY:

Native New York. War correspondent "World". Expelled June 27. Went to New York.

THOMAS J.DAWLEY. War correspondent.

Native New York. Arrested several times between Mar.24, 1896 and July 3 on suspicion. Confined 13 days in Morro. Released.

JOSE ANTONIO IZNAGA:

Native of Cuba,naturalized. Expelled in August,1896.

b The cases corresponding to the following names have been reported to the Department from Santiago de Cuba:

AUGUST BOLTON:

GUSTAVE RICHELIEU:

Two men taken in a boat near Santiago de Cuba about 23rd February,1896. See letter A P Morse March 1 + No. 96 Santiago de Cuba.

AGRAMONTE:

JULIO SAINZ:

JOHN D.FERRER:

PEDRO DUARTE:

JORGE CALVAR:

Arrested at Santiago de Cuba. Sent to the United States.

FILE LINEN

No. 279.

Secretary of State.
JAN 5 1897

U. S. CONSULATE GENERAL.

ASSISTANT SECRETARY
JAN 5 1897
DEPARTMENT OF STATE.

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HABANA, December 31st, 1896.

File

Mr. LEE

TO THE

DEPARTMENT of STATE.

Recent outrages in Guanabacoa.

oo-------o----------

No. 279.

U. S. CONSULATE GENERAL.

HABANA, December 31st, 1896.

Honorable Richard Olney,
Secretary of State,
Washington, D.C.

Sir:

Guanabacoa, a city of some 25.000 inhabitants, is situated about four miles from Havana; from that city in the last 2 or 3 days, many American citizens have visited this office, and have imparted with much unanimity the events which have occurred in that city, since the 26th instant, or since the change of commander.

From the best accounts I have received, it is estimated that numbers of men have been taken from their homes and killed, many dead bodies are still to be seen lying unburied outside of the town. Naturally there is much excitement and alarm within the limits of the city, which has extended to the American residents, some of these have been informed through spanish friends that it is contemplated to treat them as these unoffensive Cubans have been treated.

Yesterday Mr. George W. Hyatt, a respectable gentleman from New York, was obliged to leave his house with his wife, daughter and son, because he had received information from confidential spanish source, that his house would be entered that night, and the disposition of himself and son would be uncertain.

I have communicated with the acting Captain General Ahumada on the subject, requesting that his commander in Guanabacoa be instructed to afford all protection to American citizens,

No. 2.

U. S. CONSULATE GENERAL.

HABANA,

---

all of whom, as far as I have been able to ascertain, have had no connection directly or indirectly, in any shape or form with the present insurrection on this Island.

Guanabacoa it will be remembered is the city recently captured and held for a time by the insurgents, who burned a large number of houses in said city.

I am, Sir,

Your obedient servant,

Consul General.

No. 280/

ASSISTANT SECRETARY
JAN 6 1897
DEPARTMENT OF STATE.

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U. S. CONSULATE GENERAL.

HABANA, December 31st, 1896.

Mr. LEE

TO THE

Secretary of State
JAN 8 1897

DEPARTMENT of STATE.

Forwarding letter from Consul BRICE at MATANZAS.

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one enclosure.

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No. ~~280~~.

U. S. CONSULATE GENERAL.

HABANA, December 31st, 1896.

Hon: William W. Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

I transmit herewith for the information of the Department copy of a letter received from U.S.Consul BRICE, at Matanzas, dated 22nd instant.

I am, Sir,

Your obedient servant,

Consul General.

Enclosure:

Mr.BRICE to Mr.Springer, Decr 22nd, 1896.

Enclosure No. 1-

With Despatch No. 280

Habana, December 31., 1896.

Copy.

Consulate of the United States of America,

Matanzas, Dec. 22. 1896.

Joseph A. Springer, Esquire,

Vice Consul General, Habana.

Sir:-

I have the honor to report the following:- Last Sunday evening (20th.) the mob element under the instigation of certain Spanish Citizens (whose names I have secured) were about to stone this Consulate. Prompt action on the part of Civil Governor arrested the intended outrage. He informed these Citizens a residence in the Chafarinas awaited them if any further demonstration were made.

Insane delight at MACEO'S death, and the widespread excitement in the United States on Cuban affairs are engendering an intense hatred towards American citizens - especially among the middle class of Spaniards.

I have warned our citizens to remain close to their homes, and keep closed lips on political matters. I anticipate no further trouble at present.

I am, Sir,

Your obedient servant,

(signed) A. C. Brice.

Consul.

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281

No. 2 8 1.

Secretary of State JAN 8 1897

ASSISTANT SECRETARY JAN 6 1897 DEPARTMENT OF STATE.

Ackd Jan. 12/97

U. S. CONSULATE GENERAL.

HABANA, December 31st, 1896.

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Mr. LEE

TO THE

DEPARTMENT of STATE.

Case of Central "TERESA", of RIGNEY & Co, Manzanillo.

Forwarding copies of letter from Mr. RIGNEY and of communication to the Governor General.

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2 enclosures.

---------o---------

Com. Rpt

Asks to be allowed to proceed promptly. Is advised to proceed in this matter.

No. 2 8 1.

U. S. CONSULATE GENERAL.

HABANA, December 31st,1896.

Hon: William W.Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

I have the honor to inform the Department that on the 21st instant this office received a telegram from Mr.JOSEPH RIGNEY,owner of the Central "TERESA",near Manzanillo,reading:

"United States Consul General.- HABANA.

"Central "TERESA" continues abandoned.General BOSCH "well disposed awaits orders Captain General .Please "obtain delayed order for arms. (Signed) RIGNEY.-"

Mr.SPRINGER,then in charge of this office, addressed a communication to the Governor and Captain General dated 23rd instant,--- of which I enclose a copy,--- asking for an early reply to Mr.RIGNEY'S request, but as yet no reply has been received.

I also accompany copy of Mr.RIGNEY'S letter of the 20th instant confirming his telegram,and adding certain details respecting the situation of the estate.

I am, Sir,

Your obedient servant,

Consul General.

2 enclosures.
Mr.Springer to Governor General,Decr 23rd,1896.
Mr.Rigney to the Consul General Decr 20th,1896.

Enclosure No.

With Despatch No. 181.

H A B A N A , December 31st,1896.

Copy

MANZANILLO, December 20th,1896.

U.S.Consul General.

HABANA.

Sir:

I confirm my cablegram of 18th instant,as follows:-

"Central "TERESA" continues abandoned. General BOSCH "Well disposed awaits orders Captain General. Please "obtain delayed order for arms. (Signed) RIGNEY."-

My motive in sending this message to you was to enlist your good offices in urging General WEYLER to send along an order to give arms to thirty volunteers who are to do duty protecting our batey of Central "TERESA".

The request for those arms was sent from General BOSCH here,to the General in Chief in Habana, some twenty days ago, but they have not been sent,and I am compelled to ask you to make an official request for them and advise me by cable,at my expenses, of the result of your enquiry.

You will remember that we have been treated with special severity by General BOSCH,who suppressed the garrison on our estate on July 25th,leaving our property to the mercy of thieves who looted our factory and dwellings,causing us losses of more than one hundred thousand dollars.

We have been since without government protection; nor have I been permitted to go on the estate since the troops were removed.

I beg to explain my present position with general Bosch, here.

On October 15th I got a cablegram in New York from my

agent here, calling me here to confer with General Bosch who wanted to restore protection to our estate. I got his order on October 25th to engage thrity movilizados, and give him a list of their names, he gave me his "word of honor" to arm those men, place a military officer in command of them, and send them to our estate.

Those men which I had so engaged were sent to protect other estates, and on November 18th, the General informed me that I could not get "movilizados", but I might get "volunteers", provided that I pay all the cost of their maintenance and equipment; I again accepted his terms, got thirty men engaged, bought 30 old Remington guns, and 3000 rounds of ammunition from General Bosch, for the agreed price of $500 silver.

The officer in charge of military stores here, sent the order given me for the arms etc., to Havana for Weyler's approval on December first, since then nothing further is known of it.

I cannot get any information from the General here, or permission to take workmen to our place, so must appeal to you, Sir, to urge my case with General Weyler, getting him to do us some measure of justice.

If he will not give those arms I want to know it, so I can disband my men to save a useless expenditure of $1000 per month.

Trusting to get an early reply and thanking you in advance I am, etc. etc.

(Signed) Joseph Rigney.

SENECA

Enclosure No.2.

With Despatch No.281.

H A B A N A , December 31st,1896.

Copy.

U.S.Consulate General.

Habana,Dec.23rd,1896.

To His Excellency the Governor and Captain General of the Island of Cuba.

Excellency:

With reference to the communications addressed from this Consulate General to Your Excellency on the 16th September and 2nd October last,relative to the estate "Teresa",situated near Manzanillo,and belonging to Messrs.Rigney and Company, American citizens,I have to inform Y.E. that a telegram has been received from Mr.Rigney dated at Manzanillo on the 18th December last,which reads:

"Consul General U.S.- Habana.
"Estate "Teresa" continues abandoned. Gen.
"Bosch well disposed,expects orders Cap-
"tain General. Please obtain delay order
"for arms. Rigney".

I apprehend from said telegram that Mr.Rigney has determined to build block-houses (fortines) and organize the force they may permit him,as stated in the said communication of this office of the 16th September last,and relying on the good will of general Bosch with respect to this pretension,he expects to receive the superior orders of Y.E. which will enable him to continue his purpose of defending his interests, paying the proper expenses,as previously stated; in consequence

thereof he requests this Consulate to intercede in his behalf to the end of obtaining the delayed order, for the arms he requires.

Without further antecedents than the telegram referred to and the communications which have passed between the General Government and this Consulate, I respectfully submit the case to Y.E., with the request that this office be informed as soon as possible of your action in the matter.

I am, etc. etc.

(Signed) Moseph A. Springer,

Vice Consul General.

T3 X96
A.L. LAMEN
CRANE'S

Desp. 282

No. ~~282~~.

ASSISTANT SECRETARY
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HABANA, December 31st, 1896.

Ack Jan 9

Mr. LEE

TO THE

DEPARTMENT of STATE.

Leave of absence granted to Vice Consul General SPRINGER.

Mr. Whitehouse

Gen'l Lee did not apparently understand Par. 242 of the C. R. the last phrase of which (p. 157) shows the proper course to be followed ~~Default~~ However we may all well call his attention to the matter.

WR

No. 282.

U. S. CONSULATE GENERAL.

HABANA, December 31st, 1896.

Hon : William W. Rockhill,

Assistant Secretary of State.

Washington. D. C.

Sir:

I have to inform the Department that I have granted to Mr. JOSEPH A. SPRINGER, Consular Clerk and Vice Consul General, at this office, leave of absence not to exceed six weeks, with permission to visit the United States.

This leave is granted in accordance with paragraph 442 of Consular Regulations, and Mr. SPRINGER is also notified that he must hold himself subject to the Department's orders to return immediately to his post, should circumstances require it before the expiration of his leave.

Mr. SPRINGER will sail on the 2nd instant for New York.

I am, Sir,

Your obedient servant,

Fitzhugh Lee

Consul General.

M 283

Copied for C

No. 283.

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U. S. CONSULATE GENERAL

HABANA, December 31st, 1896.

ASSISTANT SEC
JAN 6 1
DEPARTMENT OF

Mr. LEE

TO THE

DEPARTMENT of STATE.

Rec'd

CASE OF JULIO SANGUILY.

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No. 283.

U. S. CONSULATE GENERAL.

HABANA, December 31st, 1896.

Honorable William W. Rockhill,
Assistant Secretary of State,
Washington, D.C.

Sir:

Yesterday noon I visited the Cabañas fort and had a talk with Mr. JULIO SANGUILY, an American citizen, and formerly a general in the insurgent army. As you know he was arrested in his house, while taking a bath on the 24th February, 1895.

Sanguily had proved himself a very brave and efficient officer in the Cuban war from 1868 to 1878, and had been wounded seven times. It was, therefore, naturally supposed that sooner or later he would have joined the insurgent side of the war now in progress in this Island. He had, so far as I am informed, committed no overt act in that direction and was taken without arms in hand.

On the 28th November, 1895, or say nine months and four days after he was arrested and thrown into a cell at the Cabañas fort he was tried and sentenced to be imprisoned for life. An appeal was taken to the Supreme Court of Justice at Madrid, which decreed upon some technical ground that Sanguily should be retried.

On the 21st December, 1896, his second trial commenced and ended by his being again sentenced to perpetual imprisonment.

From this second sentence an appeal has been taken which, whether successful or not, will greatly ~~[illegible]~~ lengthen the time he has already passed in his cell.

The lawyer who defended this prisoner in his first trial now looks from the bar of a cell adjoining his in the Cabañas

U. S. CONSULATE GENERAL.

HABANA,

fort and I am informed that the lawyer who managed his appeal before the Madrid Court has suffered in consequence thereof, so that it may be difficult to procure in Madrid another person versed in the law who will consent to manage for Sanguily the appeal proceedings.

Only a few days after the arrest of Sanguily a proclamation was issued offering amnesty to all persons in arms who would give themselves up. It seems that this ought to apply to persons who had been arrested without arms in hand. Two other Cuban officers of distinction, Ramon Perez Trujillo and Jose Maria Timoteo Aguirre, were arrested, I am told, at the same time as Sanguily and for the same reason, namely: because it was thought that they would engage in the war. After a short incarceration they were liberated.

In view of all these facts, and for the additional reason that Sanguily has been in a cell 23 months to date, is not in good health, and is suffering from old wounds, I respectfully suggest that the Department bring these facts to the notice of the Madrid Government, and ask that instructions be issued that he be released from prison on the condition that he will leave this Island, and not return until the present war has terminated.

I am, Sir,

Your obedient servant,

Fitzhugh Lee

Consul General.